THE DEPUTY CHAIRMAN: We will take it up tomorrow. (*Interruptions*).

DR. T. SUBBARAMI REDDY: Madam, why did you allow them to speak? Why aren't you allowing us to speak? It is very unfair. (*Interruptions*).

THE DEPUTY CHAIRMAN: Don't behave like this. I have noticed that Members from this side have become very unruly. When I called your leader to speak, you are not allowing. Is this the way you behave with your own people? (*Interruptions*). We will take it up tomorrow.

SHORT DURATION DISCUSSION

On Disinvestment of Public Sector Undertakings

SHRI PRANAB MUKHERJEE (West Bengal): Madam Deputy Chairperson, I express my gratitude to you for allowing me to raise the discussion on disinvestment of public sector undertakings under Rule 176.

Madam, we have discussed the issue of disinvestment a number of times and mostly through the initiative taken by the private Members. So far as the Government's position is concerned, almost in every year's Budget, they indicate a figure in the Budget documents that certain amounts will be realised through the disinvestment process. And, most of the times, we find, at the end of the year, when the Revised estimates are made available, through the Budget documents, those targets remain unfulfilled and we are nowhere near the targeted figures, which were projected at the initial stage of the Budget. We are not going to discuss the Tenth Five-Year Plan, as it has not yet been approved by the N.D.C. But, what we find that Rs.78,000 crores will be realised through the route of disinvestment. The contemporary events, and also the sharp differences in the Council of Ministers on the issue of disinvestment, as reported in the newspapers, we find that apart from the concept of joint responsibility, sacrificing in a parliamentary form of Government. It raises substantial issues is not desirable that Ministers should express their views, air their individual opinions, publicly. But, those were the traditions of the past. We are living

in a new regime, where each and every individual Minister expresses his views, irrespective of the position taken by the Cabinet, as a whole. However, this time this practice raises substantial policy matters which we should discuss I would not like to go through the entire process. I will be a little selective. We find in the Press on the 2nd September, 2002, and I quote that the Defence Minister, while opposing the process of disinvestment observed, "Public sector undertakings have come into existence on tax-payers' money. The assets thus created should not be handed over to corporate sector, to create private monopoly. Let us assume a PSU becomes a monopoly, but on the plea that PSU is a monopoly, you cannot create a private sector monopoly." It is followed by Shri Ram Naik, as the newspaper report on 8th of September, "He is strongly against the disinvestment of HPCL and BPCL to private firms before a proper system to stabilise the recently de-regulated sector to disrupt the supplies, as it could stall the present barter system between the oil firms." These are all the reports published in newspapers, in the month of September alone. On 17th of September, another Union Minister joins the headline of *The Asian Age* of that day, "Union Minister Dhindsa opposes privatisation of profit-making fertilizer company." He is followed by another Minister, Minister in-charge of Heavy Industries, Shri V.K.Patil. He writes a letter to the Prime Minister, and before the letter reaches the desk of the Prime Minister, we find a news item in *The Statesman* on 18th of September, that he opposes the disinvestment, as strategic sale of the PSU was opposed by his party supremo. Then, HRD Minister does not lag behind. He also joins the issue and he ultimately convenes a meeting with some of his -- if I use the word, if I am permitted to use the word -- "fellow travellers", and they evolve a strategy of how to oppose the disinvestment process.

On 3rd October, the RSS Chief thunders and the report this appeared in the Indian Express of that day -- " Sack all those who are against Swadeshi". And, ultimately, we found the Prime Minister's intervention in a very feeble, oblique manner when his Council of Ministers were expressing their divergent views on disinvestment, a major policy of the Government of India. We find that on 6th October and there is a newspaper item on 6th October, while addressing the full Planning Commission and endorsing the figure, which I have already quoted, that during the Tenth Plan period, Rs.78,000 crores are to be mobilised, through disinvestment he hardened his position on reforms. This is the point which I

would like to emphasise. I would like to know from the Government: Do they consider that disinvestment is the core of economic reforms, that privatisation is the core of economic reforms, distancing itself from industrial and economic activity and keeping the Government of the day neutral is the core of economic reforms? These are some of the basic issues which are to be answered. And, precisely because of that, we thought that a discussion should be raised on the floor of this House.

Before I come to certain other aspects, I would like to point out one thing very clearly. Very often, rather, more than often, it is pointed out, "The policies which we are pursuing, are the extension of the policies which Congress initiated." I thank them, those who say it, because while sitting on this side, they opposed those measures tooth and nail, including the decision of signing the World Trade Agreement on 14th April, 1994. But it is not correct; the policies which are being pursued, are not the extension of the policies which were initiated by the Congress during the years 1991-96. To remove this misunderstanding, we must clearly point out and spell out what is the difference between the policies which they are pursuing and what our perception was, what we did and what we wanted to do. Madam, in regard to disinvestment, Dr. Manmohan Singh made the first policy statement, while presenting his Budget on 24th July, 1991. I quote from his Budget speech. He observed: "In order to raise resources, encourage wider public participation and promote greater accountability, up to 20 per cent of the Government equity in selected public sector undertakings would be offered to mutual funds, investment institutions in the public sector and also to the workers in these firms. That was the policy of disinvestment which was initiated by Dr. Manmohan Singh. Is that the policy being pursued today? No. These were the conditions under which we articulated our policies. Even in January, 2001, we adopted a document, titled "Summary of the recommendations of Economic Introspection Group" which is the basic document in regard to disinvestment; -- I am not going to read out the details -- it is a public document published by AICC anybody can have it -- where in pages 21-23, we have discussed in detail our approach to disinvestment. We have made it quite clear that no profit-making public sector undertakings should be disinvested. If they enjoy monopoly, create level play ground for all in a competitive atmosphere. If they earn profit in a comparable situation, there is no reason, why they should be disinvested and for what purpose.

Secondly, there must be made a distinction between those public sector enterprises, which were set up by the Union Government and which were ultimately taken over under IDR Act and those which were originally in the private sector and because of the sickness in the private sector, the Union Government had to undertake, like a large number of textile mills, engineering works, transport organisations, plantations etc. They were not originally established by the Union Government, they were in the private sector and when they become sick under the private sector, to protect the employees interest, they were taken over. In our system, we could not provide the social security and I am talking of the early 70s, when there were not even this much of social security as available today. In order to protect the job opportunities of the workers and to make an effort to make them viable, those were taken over under IDR Act and if you think that the losses incurred by them are the fault of the public sector culture, I think, it is not correct.

The third most important thing, Madam, where surely the Congress party would like to distance itself, is the ideological assault on public sector culture. We do never believe; neither we did believe in the past, nor we are going to believe now or would not believe in future, that all public sector enterprises are a burden on the exchequer; it is not so. We are prepared to make it professionalised and remove the bureaucratic control. There is no harm. Allow them to compete along with others in a competitive atmosphere, create level play ground for all of them. Those initial stages of infancy are over. Now, they are mature. Now, they can compete with others. For what specific reasons, are you going to hand over them, and hand over the assets, to the private sector? Then, the next question that comes is, Madam, what would you like to have through the route of disinvestment? For what purposes, the proceeds of the disinvestments will be used? To bridge the revenue gap? To meet the normal consumption expenditure? We are disposing of all capital assets. These capital assets were created either by borrowing money or by tax-payers' money over the years. If, I remember correctly--and, I am subject to correction by the hon. Minister, who is an erudite scholar also, in this area - we started with five public sector enterprises with an investment of Rs.29 crores in 1951 when we began the First Five-Year Plan and today, the investment is huge , more than two and a half lakh crores of rupees.

I agree that we are not getting the due returns which should have been made available to the exchequer. And, earning profit is not wrong

with the public sector culture. If you look at the 12-point charter which was placed before the public sector managers after the Industrial Policy Resolution of 1956, in item No.6, profit making was one of the responsibilities of the public sector enterprises. But, I do agree that certain distortions, certain discrepancies crept in and inefficiency has crept in, over the years, not only in the public sector but also in the private sector. Therefore, it was thought that we must professionalise it, and we must remove the bureaucratic controls. And, to the extent we have been able to do that, we have achieved success. Where we have not been able to professionalise it, where we have not been able to place it in competent hands, and where market operations and market conditions have been subjected to political considerations, there the problems have arisen. Therefore, you can remove these evils. But why are you divesting yourselves? It is just like disposing of the family silver to meet your current consumption expenditure. How long will these assets be available to you? If you are to obtain these Rs.78,000 crores through the disinvestment route during the Tenth Five Year Plan, for God's sake, please tell me, what this amount would be in terms of percentage of the total public sector outlay you are going to have during the Tenth Plan. Even if I assume that it would be doubled from Rs.8,79,000 crores, which was the public sector outlay during the Ninth Plan, it would be roughly about Rs.19,00,000 crores. Then, if you take Rs.78,000 crores out of that, what would be the percentage?

Then, another question comes here, which is about the way the disinvestment is taking place. I will just quote what we have suggested, very recently, in the Bangalore Congress, which was held on the 17th and 18th of March, 2001. I will quote a few lines from the resolution that we adopted there. It says:

> "Disinvestment and privatisation would be carried out in accordance with the clear policy priority and transparent modality, not as an assault on the public sector, but in the interests of ensuring that the Congress heritage of a mixed economy reflects changing requirements and evolving imperatives. Government holdings in the public sector undertakings, which have a consistent record of making profits, will not be reduced below 51 per cent, nor will the Government holdings in the nationalised banks brought below 51 per cent. To ensure a vigorous and nation-serving public sector, the Congress will take all the

necessary measures including the professionalisation of the enterprises. Public enterprises that are making healthy profit on a continuous basis in a competitive atmosphere will be provided all opportunities for further growth".

If you have that policy, there is no quarrel. But, do you have that policy? If there is a policy, then why is there this divergence of views? What is happening in the Government? I may like it, or I may not like it, but this is the Government which is ruling 100 crores of people, and this is the Government which is formulating policies. You have received the mandate to rule this country for five years. You cannot sort out issues amongst yourselves. And, what is the intervention of the hon. Prime Minister? First, we find that, when this debate started picking up on the 4th of October, the newspapers reported that the Prime Minister has advised the Deputy Prime Minister to sort out the issues. Another newspaper gives the story, with the caption that the Prime Minister advises the Deputy Prime Minister to reign in the Sangh Parivar. Before the Sangh Parivar came out with its response, some important Ministers met a leader of the Sangh Parivar, particularly the RSS chief. Now, these are your internal matters, and I am not concerned with them. But I am concerned with the Ministers, because you are collectively accountable to the people of this country, through their representatives in Lok Sabha. You are collectively accountable to the 64 crore voters, a majority of whom have sent you to this office. And, in democracy, numbers are important. As you have the numbers, you are there; and as we do not have the numbers, that is why we are here. Now, I would like to know what the policy is. What has happened in the case of the Centaur Hotel? How could you justify it? When you dispose it of, technically, you may be absolutely correct in saying that it was done according to the parameters which you have decided. Yesterday, the Minister was responding to a question in the other House, but whatever little bit has appeared in the newspaper, if I have read the newspaper reports correctly, his argument was that the parameters were determined by the Civil Aviation Minister or the Ministry. Is it all? Is it adequate? How is it that when you find a particular undertaking is making loss, you would like to get rid of it? Somebody buys it, and in a short span of time, by disposing of that property, he makes a huge amount of money. If the information is incorrect, please correct me. Have you ever taken into account the replacement cost? Have you ever taken into account, in your parameters, the amount invested in building these assets over the years? Whose money

is it? It is the taxpayers' money. Therefore, not for the first time, on earlier occasions also, Madam Deputy Chairperson, you will recall that when I raised the discussion on this issue, I suggested four things to the Government. I asked whether they would formulate a policy that if a public sector undertaking had a track record of continuously making profit, in a non-monopoly atmosphere, in a competitive environment, you will not allow it to be disinvested. If they feel that they do not require money from you for modernisation, for expansion and for technological upgradation, why should you come in the picture? If you have money, give it through the Budget. If you don't have money, you can tell them that they can dispose of a part of their assets to raise resources from the market so that that could be deployed for expansion, for modernisation and for technological upgradation. Why do you take that money to bridge your revenue gap, when it is your incompetence or inefficiency which leaves a huge revenue gap between the budgeted target and the revised target? Can you tell me, in anyone of these four years, from 1998 onwards, in 1998, 1999, 2000, 2001 -- for 2002, the final figures will be made available to us only on 28th February when the Budget is presented -- whether the Finance Minister has been able to mop up his own money, tax revenues from the people, from the taxpayers, as per the target which he fixed for himself in the Budget? Has he been able to do it? What was the gap in the last year's Budget? It was more than Rs.21,000 crores. If a Finance Minister fails to mobilise his own money, his own resources to the extent of Rs.21,000 crores, and there is a huge budgetary gap, how can he take a shortcut route of bridging this gap by disposing of the capital assets which have been built up over the years through the taxpayers' money and through borrowed money?

My second suggestion to the Minister is -- I have done it earlier and I am repeating it now -- this. Why don't you create a separate fund out of the disinvestment which you are going to have, because I cannot prevent it? If it happens, then why can't you have a separate fund which you should use only for the growth of public sector enterprises? The third alternative route you can think of is, to use it for retirement of public debt. Can you assure us that whatever would be made available through the disinvestment route, would be utilised either for the growth of public sector enterprises or for the retirement of public debt? In that case, at least, there will be some discipline and restoration of the serious fiscal imbalance which has been created. Last year--I am not talking of non-tax revenue;--the tax revenue was roughly Rs.1,82,000 crores; I am talking of the Revised Estimates; we

will be having the actual figures when the auditors' report is made available. Of that, Rs.1,06,000 crores is going towards meeting the interest liability. Therefore, of your own money, you will be left with only Rs.76,000 crores, while the expenditure of the Government of India for 365 days is more than Rs.4 lakh crores.

The internal debt trap, where we have fallen, is going to pose a serious problem. In the last Session, we had the privilege of raising a discussion on the State finances. Most of the State Governments are in a precarious situation. Some of the State Governments, we used to appreciate. At least, during my days, when I was in the Planning Commission, I used to suggest to some of the State Governments, by citing the examples of some other States; I used to say, "Why don't you follow them when they are having so much cash reserves? Why can't you follow their example and try to imitate them?"

But today, hardly there is any State which can be cited as an example. They are all reeling under the debt trap. It is not their fault alone. They are responsible and Centre is also responsible. Don't try to point out that only the Fifth Pay Commission is the villain of the piece. Who asked you to accept those recommendations in *toto*? Was there any compulsion? You are running the Government. Who asked you? It was not accepted by the Congress Government. What were the recommendations of the Fourth Pay Commission? The then Government didn't do it.

If the Central Government indulges in populism, if the Central Government can't withstand the pressure from an organised lobby, how can you restore the fiscal discipline? How can you maintain the federal finances of the country? At one point of time, when a State Government was weak, when it was on the defaulters' list, it could have looked up towards the Central Government, the Federal Government. In our whole Constitutional structure, the Indian Finance Minister is not merely the Finance Minister of the Union Government, but he also has a role, as the Federal Finance Minister. Therefore, these are the issues which are arising out of the policies being pursued today.

There must be transparency. When I say 'transparency', I don't mean 'accounting transparency.' I mean, you take the social inputs also into

account; you also take into account the replacement cost; you also take into account the overall environment. What is the worth of a policy if you are only going to talk of it? If a Government can't withstand the pressure of its own employees, if it goes on succumbing to their demands, what is the use of its policy? Look at the difference in scenario, between the First Pay Commission and the Fifth Pay Commission. What is the gap? Everybody is indulging in competitive populism. If you go on doing so, wherefrom would the resources come?

Sometimes, it appears to us that we are trying to distribute non-existing resources! It is not going to help. You feel that Rs.2 and half lakh crores worth of assets are available to you, and, therefore, you can dispose it off, and, of that, you may get Rs.78,000 crores during the Tenth Plan. Why can't you be realistic? From your own experiences, can you point out a single year in which you achieved your target, except for one year, when you floated a bond and you reached the disinvestment target? Can you point out a single year? There will be a huge gap in the tax revenues, leading to consequent gaps in revenues, leading to increased revenue deficit, ultimately, leading to fiscal deficit. Some attempts will be made to bridge that gap, by selling the capital assets. That is not at all a sound policy. Madam Deputy Chairman, we can't accept that policy. We do feel, this is totally an erroneous policy and I would plead with the Government to think over it again. Even if there are differences amongst your own colleagues, don't brush them aside. Even if there are differences amongst your colleagues, do not brush them aside. You consider them if they have something. For God's sake, do not try to befool everybody that only disposal of the capital assets is the core of the economic reforms. Economic reforms have a much more larger dimension, a much more larger perspective. Disposal of sick, recurring loss making units under the control of the Government is just one small part of it. We are not talking of the continuously incurring loss making units. You dispose them of provided that it is done with a human face. If you do not have money, do not accept the liability, do not accept the responsibility. Those days are gone when there was pressure. But those units which are giving golden eggs, for God's sake, do not kill them.

Madam, I thank you for giving me this opportunity to speak.

SHRI C. RAMACHANDRAIAH (Andhra Pradesh): Madam Deputy Chairperson, I thank you for this opportunity to speak on this issue. Madam, this issue has been discussed on the floor of the House umpteen times.

We could build up a large industrial base, particularly in the public sector, which has played a very pioneering role in building of the economy of this country. When for the first time it was formulated that India should opt for a public sector-oriented economy, it was a historical necessity because we needed large infrastructural projects for which we needed industries such as cement, steel, etc., in the core sector. The private sector was not geared up enough to invest in a large way to meet this demand. There was a prohibition on transfer of technology from individual to individual. So, that was the historical necessity for setting up industries in the public sector. As I said, they have played a very prominent and pioneering role in the economy of this country. And with a conviction, I can say that the private sector has grown because of the public sector's pioneering role in this country. As the economic scenario throughout the world has undergone a transformation, and to a certain extent due the failure of the command economy at global level, we are rather constrained to follow the same. Now we are reverting to capitalist-oriented economy. We have made a policy that the Government should distance itself from industry and business so that it can concentrate more on the improvement of economic standard of the people and improve the human development indicator. Our Party, the Telugu Desam Party, is more committed in favour of that economy. We are more committed to the reforms. We have been very vigorously pursuing these reforms in our State also. I do admit, Madam, with large holdings in equities of public sector undertakings with hundreds of crores of rupees and people's money is involved in it, it is not an easy job to make disinvestment. But, however, the Government has to ensure the maximum amount, as I have been pleading umpteen times, that we should try to ensure to get the maximum amount. After all, these assets have been built over a period of time with public money. As the hon. Member has said, "It is like a family jewellery; which, a family is compelled to sell only under extreme circumstances; as we have been doing." So, we have to ensure that we should realise a proper value for the assets which have been created by us. Not only that, we should appear to be doing so. The taste of the pudding lies in its eating. You may adopt any type of valuation -- Net Asset Value, discounted cash flow or profit earning or whatever method you adopt -- ultimately, the benchmark is, what is the amount that has come to the Government by selling it. That is very important. And, I do not want to go into individual cases. I am told that the Government should adopt a transparent system so that the people should not feel that their assets are being sold for a song.

Madam, one more suggestion I would like to make. Let us not create monopolies in the private sector. That is a very dangerous thing. And, substitution of private monopoly in a public monopoly system is very horrendous to the economy of this country. We have to take the facts -- the realities, the resources that are available, the needs of the people and the culture of the people -- into consideration. We cannot have a tailor-made economic policy in this country. We have to formulate our own economic policy by taking all these factors into consideration. Madam, even the diehard capitalists and the champions of this capitalism will never accept monopoly in the private sector economy. We have got very valuable natural resources -- gas, iron ore, coal, etc., -- in this country. So, let us not allow the monopolistic houses to squander these natural resources for their own advantage, to create islands of prosperity. And, we are living in the midst of ocean of poverty. So, let us not contribute to creating the islands of prosperity in this country. After all, we are answerable to our posterity. Let us not live with an impression that this is the last generation. We have to save the fossil fuels that are available in this country. They should be made available to the next generations.

My next suggestion is this. Madam, it has been stated umpteen times and it has also been stated in the objectives that to reduce the fiscal deficit and to redeploy these funds -- sale proceeds of disinvestment -- in other areas where it is needed, but, to what extent, we have achieved this objective? There are some four or five objectives. To what extent have we achieved to reduce the fiscal deficit? Let us not say that to reduce the fiscal deficit, we are selling the PSUs. There are umpteen number of ways through which you can reduce the fiscal deficit. They are: public expenditure, save or improve the income of the Government, broaden the tax base and make the country generate more wealth, because we are not concentrating on the areas where we can contribute. The industrial productivity and the agricultural productivity, when compared with other countries, are far, far less in this country. And, let us pay attention on those areas where country's wealth is generated and the living conditions of the common man are improved so that there will be a mass demand for the goods; and the industrial activity is reinvigorated. This is the system or formula which we have to formulate to develop the economy of the country. It has become a nightmare for us.

I have been reading about the fiscal deficit dangers. But, at this juncture, if you have baseless apprehensions about the fiscal deficit and

reduce public expenditure, we are throwing this country virtually into disarray. Public investment should be there in the core sectors. Disinvestment of public sector does not mean that the Government is absolved from its duty. The onus lies on the Government to develop the economy of this country. It has to play a pro-active role.

One more suggestion I want to give. It is with regard to the services of consultants. Madam, in the process of disinvestment, we have been utilising the services of consultants in various capacities -- as a merchant banker, as an institution to identify a person who can buy shares -- by the same firms. So, there is a conflict of interests which is detrimental to the public interest. So, this aspect has also to be taken into consideration. I would also like to suggest that you should have a very, very transparent disinvestment policy. (*Interruptions*)

THE DEPUTY CHAIRMAN: You should not address the Member. When you say 'you', it means you are addressing me, that is, the Chair. And, I have nothing to do with it. (*Interruptions*) Instead of 'you', you can say 'the Government'. (*Interruptions*)

SHRI C. RAMACHANDRAIAH: Okay, Madam. It means, I have to see you and address the Government. (*Interruptions*)

THE DEPUTY CHAIRMAN: No; no. Not that way. You see, as per the procedure you should say 'the Government', but if you say 'you', it means you are directing me, while I have no role to play. (*Interruptions*)

SHRI PRANAB MUKHERJEE: Madam, I also do like that. But when I say 'you', I mean 'the Government, through you'. (*Interruptions*)

SHRI C. RAMACHANDRAIAH: Thank you. He came to my rescue. (*Interruptions*)

THE DEPUTY CHAIRMAN: When you say 'through you', that covers everything.

SHRI C. RAMACHANDRAIAH: Madam, it is a very strange phenomenon in this country that even the private sector Companies are being financed -- that too, to the extent of more than 90 per cent -- by the

financial institutions in which the money of the people is involved. Suppose a company has to be promoted. The debt-equity ratio in this country is 25:75 or may be 30:70. Out of this 25 per cent, not even five per cent is coming from the promoters. It is a hard reality. So, there will be over-invoicing machinery by which their contribution will be covered under this over-invoicing. So, term loan is being financed by the institutions, like the ICICI, the IDBI, etc. and working capital is financed by banks. So, not even five per cent is coming from the promoters of industries. It is a hard reality, whether one accepts it or not. So, the line of demarcation between the public sector and the private sector is very, very thin. And, for promoting certain industries, it has totally been erased. It is a very strange thing. Nowhere in the world such a debt equity ratio is there. What I am trying to emphasise is that the loss of private sector is equally detrimental to the interest of the exchequer. The rate of failure in private sector is also not low. Let us take figures from the BIFR and other institutions. The private sector is not the only efficient sector in this country. Because you take a policy that you have to distance yourselves from the industry and business, you have been doing disinvestment and privatisation. Privatisation is not a panacea for the evils of the economy of this country. But, if we have at all decided to disinvest public sector undertakings, let us do it in a transparent way. Let us ensure that the Government should get the maximum price for that because that is a public asset; and let us use that amount for the purpose for which that is proclaimed by the Government. The need of the hour is to have a consensus. Yesterday, I was reading the statement given by the hon. Finance Minister in the mid-term review. There too he has emphasised the need for a consensus. He said, "The consensus has to come from there first. Then, we are prepared to cooperate with you." Thank you, Madam.

THE DEPUTY CHAIRMAN: The lunch hour is approaching. (*Interruptions*) I would like to take the sense of the House...(*Interruptions*)

SHRI PRANAB MUKHERJEE: I think, we can dispense with lunch because, as I understand, the hon. Minister has an appointment with the Russian President. So, he will have to go at 5 o' clock. Therefore, we can continue the discussion.

श्री रमा शंकर कौशिक (उत्तर प्रदेश): मैडम, आज लंच आवर न करें तो अच्छा है।

THE DEPUTY CHAIRMAN: I can slightly amend Mr. Mukherjee's statement as we cannot dispense with lunch, but the lunch hour. You are free to have lunch; otherwise there will be an allegation that the Chair did not allow them to have lunch. (*Interruptions*)

SHRI PRANAB MUKHERJEE: Even if we dispense with lunch, it will be good for health. (*Interruptions*)

SHRI B.P. SINGHAL (Uttar Pradesh): Madam, with the kind of age level that exists in the House, not eating lunch will also be a good thing.

SHRI DIPANKAR MUKHERJEE (West Bengal): Madam, at the outset, I want to concede that I am an average Member of Parliament. ...(*Interruptions*)...Madam, the Minister is not here. ...(*Interruptions*)...

THE DEPUTY CHAIRMAN: You can address me.

SHRI DIPANKAR MUKHERJEE: Madam, at the very outset, I am conceding that I am an average Member of Parliament. *The Business Standard* weekly magazine has reported what the hon. Minister has said at the Indian Economic Summit, last year.

[SHRI SANGH PRIYA GAUTAM in the Chair]

The hon. Minister said, 'Corporate drafting was obvious in case of certain letters submitted and read in the Parliament by MPs. The very content of the letters shows that they were drafted by corporates, as they required an understanding of accounting which was way above what the average MP has.' So, I concede that I am an average MP. I don't have that much knowledge of business accountancy or accounting as Mr. Ramachandraiah has. But, I can say one thing to Mr. Minister that -- I am an average MP, I don't know much about accounting -- no corporate drafting has been carried out on what I am speaking here. The Minister's apprehensions about corporate drafting may be partly true. But if we say, ideologically, that these policies are drafted by the World Bank, naturally, the hon. Minister would take objection to it. Last time also he objected to it. In this case, I would like to quote Mr. Joseph Stiglitz, former Chief Economist

1.00 p.m.

at the World Bank, former Chairman of President Clinton's Council of Economic Advisors', and a Nobel Prize winner. I am quoting from his book, 'Globalisation and its Discontents', "Unfortunately, the IMF and the World Bank have approached the issues from a narrow ideological perspective - privatisation was to be pursued rapidly. Scorecards were kept for the countries which were making a transition from communism to market: those who privatised faster were given the high marks. As a result, privatisation often did not bring the benefits that were promised. The problems that arose from these failures have created antipathy to the very idea of privatisation." Now, Sir, I don't know whether these scorecards are being kept by the World Bank or not. But, some scorecards have been kept by a weekly magazine in this country. As per that scorecard, the Minister of Disinvestment was rated very high. When we say, 'we find a sign of World Bank drafting, I think, it is not 'we', it is some World Bank's drafting. The hon. Minister knows more about it. He was mentioning this. Now, it is for you to justify how far it is true. We don't know whether the scorecards are running very high for Mr. Shourie, or, they are running very low for Mr. Naik. It is for that weekly magazine to judge. But this is the basic point. There is one thing on which I, disagree with the hon. Mr. Pranab Mukherjee when he said, -- I am not going to repeat anything -- '...whatever discussion he is having within the Cabinet, with the BJP, with the NDA allies and with the Sangh Parivar.' Sir, you must have seen that advertisement आजकल गर्मी के क्लाथ के बारे मे कि यह अन्दर की बात है। गर्मी क्यों - यह अन्दर की बात है। लेकिन मैं इनसे एग्री नहीं करता हूं कि यह अन्दर की बात है।

उपसभाध्यक्ष (श्री संघ प्रिय गौतम): मगर ये दिखाते बाहर हैं।

श्री दीपांकर मुखर्जी : हां। अन्दर की बात है। यह अन्दर की बात नही है। यह संघ परिवार की बात नही है। The Minister says, 'Mr. Advani will settle the issue'. These public assets are not Sangh Parivar's assets. This issue is not Sangh Parivar's issue; it is the issue of Bharat Parivar, as a whole. The whole country is seized of the matter. That is why, sometimes, I get upset.. Mr. Prime Minister should speed up the process. It is not Mr. Vajpayee's property. I don't mean to say anything wrong. It is not Mr. Advani's property and it is not Sangh Parivar's property that it should be settled inside. Many questions have arisen, and this is the best forum -- whether

the Minister likes it or not, in spite of the fact that we are all average MPs here -- to cleanse this matter here. This issue was discussed here on 24th August, 2001, and on 27th February, 2001. I am restricting myself and while replying, I want the Minister to limit himself, and not bring the issue of sick undertakings. I am talking about the limited issues where some consensus has been arrived at, and, that is, whether profit-making public sector undertakings should be privatised or not. Disinvestment and privatisation are not one. The initiators of this thing have clarified -- Mr. Narsimha Rao had clarfied -- that they had talked about disinvestment and not privatisation. This Government has come with a word 'privatisation'. Let us admit that excepting 4.5 Cabinet Ministers रवि शंकर जी हैं, आपका हाथ बता रहे हैं । or two economic dailies, they cannot bulldoze this issue of privatisating profit-making companies. If they cannot bulldoze this issue irrespective of the fact, then, what is this अंदर की बात है । And, one of your allies, who is not here, says डिसइन्वेस्टमेंट के नाम पर धंधा हो रहा है । Is it an issue which I can afford to ignore? And the Minister replies, forcibly in his own way,--I saw it on TV-he talked about some फोन हुआ । फोन पर किसने बात किया, फोन पर क्या बात किया । Is it something to be discussed between Shiv Sena and the Minister and things clinched? The Minister of Petroleum, Shri Naik, talks about BPCL and HPCL. Where do you like consensus? The whole parliamentary system is being delayed because of a separate Minister for Disinvestment. I don't know whether any other country is having a Minister for Disinvestment or not. No doubt, Mr. Shourie is a very competent person. But, just because something new has come, everything will be new here. There is a Standing Committee. Mr. Shourie, while making a reply last time had said, "there is a Salim Committee". There is no "Salim's Committee" here. There is no "Mukherjee's Committee" here. There is no "Jaswant Singh's" Committee here. The Standing Committee owes some responsibility, and it comprises all Members, average, below average and above average, and MPs from all the parties including BJP, Samata and all. All of them have said that they treat Bharat Petroleum or petroleum sector as a strategic sector. And they have some reasons. अभी क्या रेल ज्यादा स्ट्रेटेजिक है या आयल । Is America going to Iraq for rail or oil? Oil is the strategic sector. That is the point to be discussed. That is the point to be reviewed. What is the problem in discussing these issues? It requires a mid-term review. Today, on the hotel issue, --forget about other things-- we are talking about distress sale and not other issues. You say that it is not a distress sale, but valuation is being done. Just look at this point. The retail outlet of IOC has been sold along with hotel. The Ministry of Petroleum says, it is IOC's

retail outlet. The IOC says, 'we do not know.' The permission was not taken. And I am getting a reply from the Minister of Disinvestment that this is not *sub judice.* What is *sub judice,* whether it is Batra's or someone else's. But the fact remains: does it not show a tremendous amount of contempt or ठीक है, 70 करोड़ का बेच रहे हैं, उसमें 20-25 का रिटर्न आता है, जाने दो । कंपनी का माल दरिया मे डाल । That is the issue. Without the permission of the IOC, without the knowledge of the IOC, how was this sold alongwith the hotel? What is the justification? The other day, my friend, Shri Arun Jaitley, was justifying these things. A hotel which was disinvested for Rs.83 crores was, after just four month, sold for Rs.113 crores. अरे साहब, मॉर्केट की बात छोड़ दीजिए । The citizens of this country are average-minded people. They are not Cost Accountants. यह जाकर बोलिए किसी को कि चार महीने पहले मैंने इसको 83 करोड़ में बेचा था, चार महीने के बाद 113 करोड़ में बिक गया।-. This is how you are justifying these things. And these things are happening. We must put a stop to these discussions. We should discuss basic things. I think, the Ministry of Disinvestment is being taken as a Super Ministry. Yes, there have always been apprehensions about corruption. Again, I would like to quote Stiglitz; or should I quote someone else, Greg Palast - an Investigative Reporter? Sir, you must have read this book 'The best democracy money can buy'. I would like to quote him and it will be interesting. On page 51, it is stated "Step one is privatization -- which Stiglitz said could more accurately be called "Briberization". These are not my comments. I am not committed to this. This is global. यह जो प्राब्लम है, यह जो डिस्प्यूट है, यह जो डिसकशन चल रहा है The discussion which is going on is not restricted to our country. Let us not take the cases like बंगाल क्या कर रहा है, कर्णाटक क्या कर रहा है, पंजाब क्या कर रहा है These are the school-time debates which you can win any time, but I cannot. I am not that good speaker. But the point is that it is no longer restricted to India. It is a bigger issue.

That Investigative Reporter says, "Step 1 is Privatisation - which Stiglitz said could more accurately be called "Briberization". Rather than object to the sell-offs of the State industries, he said national leaders -- using the World Bank's demands to silence local critics -- happily flogged their electricity and water companies." "You could see their eyes widen" at the prospect of 10 per cent commissions paid to Swiss Bank accounts for simply shaving a few billions off the sale price of national assets." This is said globally. This is not what I am saying. This is not what the Communists are saying. And, what is being talked about by Mr. Joseph

Stiglitz again, I quote, "Perhaps the most serious concern with privatisation, as it has so often been practiced, is corruption -- he is a World Bank man, the former Adviser to Mr. Clinton, a Nobel Prize winner -- the rhetoric of market fundamentalism asserts that privatisation will reduce what economists call etc., etc. -- 'market fundamentalists.' I do not know whether the Minister thinks himself to be a 'market fundamentalist' in the company of 'religious fundamentalists' or the *vice versa*, I do not know. But, market fundamentalists are being talked about, saying "privatise swiftly, rapidly as soon as you can". It is said, "If the questions are being raised, put your conspiracy theories of corporate rivalry, this and that. ...*(time-bell)*...

THE VICE-CHAIRMAN (SHRI SANGH PRIYA GAUTAM): Kindly make salient points. You have got only one minute.

SHRI DIPANKAR MUKHERJEE: Sir, please give me five minutes. You have given me concession so many times. This is an issue which is one of the major issues. The issues of corruption, briberisation, etc. are being raised. The issues of evaluation of assets are being raised. There are post-disinvestment claims from some companies. For example, Zuari says that it wants Rs. 152 crores back. I do not want to go into the details. The fact is that there is no consensus on one issue. When you talk of the NALCO, let us not go into the rhetoric of market fundamentalists. Now, I will leave this word 'market fundamentalist'. Let us have that courage. Let anyone of your Ministers from here go to the NALCO, go to Orissa. The Orissa Assembly has passed a Resolution. You say, "This is what we want to do." It cannot be that some of your Ministers, * are having a shadow-boxing with the Ministry of Disinvestment. If their concern is genuine ...

AN HON. MEMBER: It is not shadow-boxing; it is real-boxing.

SHRI DIPANKAR MUKEHRJEE: I do not know whether it is shadow-boxing or real-boxing because today I find that the Chairman of the ITDC Hotels has been thrown out.

THE VICE-CHAIRMAN (SHRI SANGH PRIYA GAUTAM): Mr. Mukherjee, just one minute. The words * will not go on record.

---

* Not recorded.

श्री दीपांकर मुखर्जी : नाइक साहब और उन के साथ मेरा सवाल नहीं है ।

THE VICE-CHAIRMAN (SHRI SANGH PRIYA GAUTAM): No; no; this is not proper.

SHRI DIPANKAR MUKHERJEE: All right; Sir. This is a very serious matter. अभी आई.टी.डी.सी. का चैयरमेन गया है; he was opposing its disinvestment. I do not know whether Mr. Naik will stay or not. I have a doubt. ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI SANGH PRIYA GAUTAM): You simply say, "Mr. Naik and his colleagues".

SHRI DIPANKAR MUKHERJEE: He may also go. The theory that those who are not with us or are against us cannot hold good. The Prime Minister says, the mid-term review says, "A consensus is going to be reached."

[MR. CHAIRMAN in the Chair]

सर, कंसेंसस कैसे होगा । There is a consensus so far as the Rajya Sabha proceedings are concerned. In the profit-making core sectors, there should not be any disinvestment. In spite of my differences on other things, I would say that this is a prime consensus on limited issues. In the profit-making core sectors, there should not be any privatisation. Can we have that limited consensus form the Government or not? My second point, कंसेंसस कौन करेगा । I have already said and I am again trying to explain that if the hon. Minister cannot have a consensus among his own Cabinet colleagues, if he cannot carry his own Cabinet colleagues with him, how do we expect him to carry us? When he talks about -- and he has reasons because he has been one of the leading intellectuals of this country -- he must be having a very high opinion as to whether the MPs understand these issues. I can understand. Does he really mean that a consensus is possible? Is a consensus possible? Sir, I am talking about parliamentary system, and this is what Stiglitz has pointed out. The parliamentary systems can be also -- if the privatisation goes this way -- disrupted. This is the first occasion -- I can say, I am not casting any aspersions -- when I saw in the eight years of my parliamentary life -- when during the last debate which was held on 24th July, the Minister of Disinvestment was

allowed -- we were not allowed -- to quote exceedingly from what had happened in the other House, Lok Sabha, about a letter which was shown there and about all that business." All these things are happening. This is not against the normal Parliamentary practice. The normal Parliamentary practice does not say that the Standing Committee's recommendations are pooh poohed by the Minister saying he did not know on what basis the assessment was made regarding the assets of Air India. This was pointed out by you. But, this does not happen. This is not a Parliamentary practice. सर, हमको नहीं मालूम । वह आप डिसइन्वेस्टमेंट मिनिस्टरी को पूछिए । अंडरवेल्युएशन क्यों हुआ ? सर, हमको नहीं मालूम, डिसइन्वेस्टमेंट मिनिस्टर को पूछिए । Today we have a super Minister. I am happy about it. He deserved to be made one. We have a super-Minister, who is bulldozing everyone. When I asked, his reply was that I should talk to another Minister in charge of the Ministry where disinvestment had taken place. My simple question is, as he said, it is your Ministry's property. You are selling this company. यह वो नहीं। पति पत्नी और वो । यह वो, इसे हमको हटाना है । पति पत्नी और वो में पति पत्नी तक ठीक है। प्राइम मिनिस्टर ठीक है, लेकिन यह वो नहीं । Through this disinvestment process are you trying to subvert the whole Parliamentary system? Are you creating this type of a tradition in this country? Why can't you have a nodal Ministry to assess it? I can only say when I end my speech, that if you really want to have a consensus, then it is the Prime Minister, who has to reply. As I have said time and again when the discussion is on the problems within the allies, Shiv Sena, Samata, it is the Prime Minister who should come and start a consensus process. So is the case so far as the question of privatisation is concerned. कहां गए समता वाले ? शिव सेना वाले आएंगे, संजय जी बोलेंगे । If that is the case, the best man, who should reply to the debate, should be the Prime Minister. He should have come and told us what excactly he has in his mind. When there are so many differences within the cabinet, if it is not a shadow-boxing, as within the allies. Some ally says it is a *dhanda*. Can we be a party to the *Dhanda*? So, this has to be reviewed. So, the Prime Minister should come. In the case of the hotel, whatever justification is there for the sale, someone has to be made accountable. Someone used the word limpet. It means someone who sticks to the Chair. I do not want that someone should level this charge. If he is not in a position to carry the Cabinet with him, if he is not in a position to carry the colleagues with him, if he is not in a position to control that retail outlet of another Ministry is being sold without the knowledge of that Ministry, it should be reconsidered voluntarily. The briberisation business is a very dirty business. You may not be even above that, but this

is a very dirty one. If you feel that you don't have the confidence and if you have the confidence only in the Prime Minister, then I think you should review your position in the Cabinet also. It is my personal suggestion. I again demand that it has to be reviewed. I do not think the people of this country would allow you to sell the profit-making public sector. No one can sell NALCO; definitely not the two economic dailies, without the knowledge of the Cabinet Minister of this country. Thank you.

श्री रमा शंकर कौशिक : माननीय सभापति जी, आज माननीय सदन में विनिवेश पर चर्चा हो रही है, लेकिन यहां सवाल यह पैदा होता है, जैसा कि माननीय प्रणब जी ने भी कहा और दीपांकर जी ने भी कहा कि जो अलग अलग बयानात कबीना मंत्रियो के आ रहे हैं तो किस की बात को केन्द्र मे रख कर हम चर्चा करे क्योकि जार्ज साहब कुछ कह रहे हैं, मुरली मनोहर जोशी साहब कुछ कह रहे हैं, उमा भारती जी कुछ अलग कह रही हैं, राम नाईक जी अलग बात कह रहे हैं । श्रीमन्, यह सवाल सरकार से नहीं है, यह तो मैं आपसे निवेदन करूंगा कि यह आपकी व्यवस्था का प्रश्न है क्योंकि पार्लियामेंटरी सिस्टम मे जो जाइंट रेस्पोन्सिबिल्टी की बात है, जो मूल सिद्धांत है, उसी का उल्लंघन यह सरकार कर रही है तो किसकी बात को मानकर हम चर्चा करें ? यह एक बड़ी विचित्र स्थिति हो गई है और एक हास्यास्पद स्थिति हो गई है कि कोई भी मंत्री इस मामले मे संयुक्त जिम्मेदारी की बात सोचकर अपने बयान नही दे रहा है । यह बड़े शर्म की बात है । श्रीमन्, दीपांकर जी और प्रणब जी मुझे माफ करेंगे, लेकिन मैं इस बात से सहमत नहीं हूं कि डिसइन्वेस्टमेंट और प्राइवेटाइजेशन में कोई फर्क है, मैं इसे कोई फर्क नहीं मानता, यह एक ही बात है और यह तो उसी दिन से तय हो गया था जिस दिन से हमने डब्ल्यू.टी.ओ. में जाना शुरू किया, जिस दिन से हमने विश्व बैंक को मानना शुरू किया, जिस दिन से हमने अंतर्राष्ट्रीय मुद्रा कोष की बातों को मानना शुरू किया, उसी दिन से यह तय हो गया था कि ये स्थितियां तो हमारे देश में होनी हैं और इसको अलग करके नहीं देखा जा सकता है । यह बात अलग है कि जो पूर्ववर्ती सरकारें थीं या सरकार थी, उसका सोचना थोड़ा धीमी चाल से होता, लेकिन इसमे फर्क कतई नहीं किया जा सकता कि आज जो स्थिति हमारे देश में है, जो बेरोजगारी बढ़ रही है, जो लोगों में असंतोष है, ये बातें निश्चित रूप से होनी थीं और इसी ढंग से हमारे सरकारी उपक्रम बेचे जाने थे । यह बात उसी दिन तय हो गई थी और इसमें कोई विवाद की बात नही है । हां, यह बात अलग है कि यह सब करने का ढंग थोड़ा दूसरा होता । इनका ढंग ऐसा है कि ये बदनाम भी हो रहे हैं और बदनाम होने की बात स्वाभाविक है कि जब कोई एक उपक्रम इनका इतने पैसे में बिकता है और चार महीने बाद उसका 30 करोड़ फायदा लेकर दूसरे को बेच दिया जाता है, तो बदनाम होने की बात तो निश्चित रूप से है । यह बात तो निश्चित रूप से है कि "बाल्को" जैसा संस्थान, जो आज की तारीख में अगर बनाया जाए तो 5,000 करोड़ का बनेगा, उसको केवल 550 करोड़ में बेच दिया। यह बात तो हो सकती है लेकिन इसको अलग करके नहीं सोचा जा सकता ।

श्रीमन्, जैसा दीपांकर जी ने कहा कि यह बहस पूरी दुनिया मे चल रही है, यह बहस आम जनता में भी चल रही है कि विश्व बैंक के दबाव में, अंतर्राष्ट्रीय मुद्रा कोष के दबाव मे और डब्ल्यू.टी.ओ. के दबाव में जो स्थितियां बन रही हैं, जो निजीकरण की व्यवस्था होती चली जा

रही है, उसके क्या दुष्परिणाम हो रहे हैं । श्रीमन्, अभी श्रम सम्मेलन हुआ था जिसमे हर मजदूर संगठन के नेता ने इसका विरोध किया और इस पर विचार किया कि हम लोगों की जो स्थितियां हैं, वे इसके बाद कैसी हो जाएंगी, रोजगार के अवसर कैसे हो जाएंगे और हमारी सुरक्षा का क्या इंतजाम होगा । ये सारे सवाल श्रम सम्मेलन में भी उपस्थित हुए और एक बात जो ये कहते हैं कि सरकारी उपक्रम लगातार घाटे मे चल रहे हैं, उसी श्रम सम्मेलन में यह बात भी बताई गई कि वर्ष 1990 से लेकर 2001 तक , जब यह प्रक्रिया शुरू हो गई है, जब डब्ल्यू.टी.ओ. की प्रक्रिया शुरू हो गई है, निजीकरण की व्यवस्था चालू हो गई है, उदारीकरण को मान लिया गया है, जब भूमंडलीकरण का गीत गाया जा रहा है, उस स्थिति मे भी हमारे सरकारी उपक्रमो ने 2.40 हजार करोड़ रुपए आंतरिक लाभ से और बाजार से हासिल किए, लेकिन मैं इस सवाल को नहीं रखता । मूल बात यह है कि यह जो सरकारी उपक्रम बने, सरकार ने इस बारे मे जब सोचा कि हमारे देश मे मिक्सड् इकॉनमी हो, तो उस समय के हमारे जो नेता थे, उन्होने जब इनके बारे में सोचा तो उनके मन मे यह नहीं था कि ये सिर्फ फायदे के लिए होंगे, उनके बनाने के पीछे सिर्फ यह दृष्टिकोण नही था कि ये फायदे मे चलेंगे और इनसे हमारी सरकार को आमदनी होती रहेगी, सरकार का राजस्व बढ़ता रहेगा । जो हमारे देश की स्थितियां हैं, जो हमारे देश मे सामाजिक विषमता है, जो हमारे देश में बड़ी बुरी हालत में आर्थिक विषमता है, उन सबको देखते हुए यह फैसला किया गया था कि हमारे देश के उपभोक्ता, हमारे देश के गरीब लोग, हमारे देश के मजदूर बाजार की ताकतो के हवाले न कर दिए जाएं, लेकिन यह सब जो आप कर रहे हैं, तो यह आप उन्हे बाजार के हवाले कर रहे हैं और मैं यह कहने मे कोई संकोच नहीं करूंगा कि जो स्थितियां हमारी 1950 में थीं, उन स्थितियों मे और आज की स्थितियो में कोई बहुत भारी अंतर नही है । सामाजिक और आर्थिक विषमताओ के मामले में एक बहुत बड़ी खाई आज भी है

सभापति महोदय, जो मौजूदा स्थितियां हैं, उनमे कोई उम्मीद नही लगती कि स्थितियां बदलेंगी । दूसरे देशों मे ऐसी स्थितियां नही हैं लेकिन हमारे यहां सामाजिक विषमताओं और आर्थिक विषमताओं के कई स्तर हैं । सामाजिकता के भी कई स्तर हैं, एक या दो स्तर नहीं हैं कि आप कहें कि एक बड़ा स्तर है और एक छोटा स्तर है, ऐसी स्थिति नही है । हमारे यहां कई स्तर हैं और इसी ढंग से आर्थिक विषमताएं भी कई स्तरों मे बंटी हुई हैं । इसके पीछे जो सैद्धांतिक बात थी, वह यह थी कि हम अपने देश की स्थितियों को देखते हुए, अपने देश के उपभोक्ताओं को देखते हुए, जो गरीब हैं, जो गरीबी की रेखा के नीचे रहते हैं, उनके हितो के अनुरूप काम करें । आज भी आपके आंकड़े कहते हैं कि 35 फीसदी लोग हिंदुस्तान मे गरीबी की रेखा के नीचे रहते हैं, ऐसी स्थिति मे अगर उपभोक्ताओं को, हमारे गरीब उपभोक्ताओ को बाजार की ताकतो के ऊपर छोड़ दिया गया तो उनकी क्या स्थिति होगी? यह हम देख रहे हैं कि क्या स्थिति होगी, आप ऐनरॉन को ही देख लीजिए, ढाबोल परियोजना के मामले मे फौरन ऐनरॉन ने 5 रुपए प्रति यूनिट का भाव रख दिया, और आगे आने वाले दिनो मे इसे 7 रुपए प्रति यूनिट तक बढ़ाने की बात कर दी। क्या हुआ ? यही स्थितियां होगी । जो सरकारी उपक्रम दो रुपए, सवा दो रुपए प्रति यूनिट के हिसाब से बिजली दे रहे थे, ऐनरॉन ने आते ही फौरन 5 रुपए प्रति यूनिट और 7 रुपए प्रति यूनिट पर अपनी बिजली बेचने की बात कह दी । अगर आपने निजीकरण की व्यवस्था को जारी रखा तो यही स्थितियां होंगी और हर चीज इसी तरह से हो जाएगी ।

सभापति महोदय, अभी दीपांकर मुखर्जी ने जोजफ साहब की बात कही । वे बहुत बड़े अर्थशास्त्री हैं, वे विश्व बैंक के सलाहकार रहे हैं, वे क्लिंटन के भी सलाहकार रहे हैं, उन्हें नोबल पुरस्कार भी मिला है, उन्होंने बिल्कुल स्पष्ट रूप से सारी बातें लिखी हैं कि अगर विश्व बैंक और अंतर्राष्ट्रीय मुद्रा कोष के दबाव में निजीकरण की प्रक्रियाएं चलती रहीं और विशेष रूप से विकासशील देशों में चलती रहीं तो बेरोजगारी बढ़ेगी । आज हमारे देश में 4 करोड़ लोग बेरोजगार हैं और हर साल इसमें 80 लाख लोग जुड़ जाते हैं । आप रोजगार कहां दे रहे हैं ? इस उदारीकरण की नीति के कारण आपके लघु उद्योग ठप्प हो रहे हैं । निजी व्यापार को बढ़ाने के लिए, निजी उद्योगों को बढ़ाने के लिए आप लघु उद्योगों के रिजर्वेशन को खत्म करते जा रहे हैं । जो आइटम्स उन्हें बनाने थे, जिसके लिए उन्हें छूट दी गई थी कि बड़े मिल-मालिक उन्हें नहीं बनाएंगे, आपने वह रिजर्वेशन भी खत्म कर दिया है और लघु उद्योग बंद होते जा रहे हैं । महोदय, 31 लाख लघु उद्योगों में से कई लाख लघु उद्योग बंद हो चुके हैं और कई लाख लघु उद्योग बंद होने के कगार पर हैं । हमारे यहां जो बेरोजगारी की समस्या है, उसका निदान छोटे उद्योगों द्वारा ही मिलेगा, वह बड़े उद्योगों से नहीं मिल सकता । अगर आप बड़े उद्योगों को बढ़ाना चाहेंगे तो आपके लघु उद्योग ठप्प होते जाएंगे और ठप्प हो रहे हैं ।

सभापति महोदय, मैं यह बता देना चाहता हूं कि नब्बे से लेकर 2000 के दशक में, जब बड़े उद्योगों में रोजगार के अवसर नहीं थे, उस समय भी लघु उद्योगों ने साढ़े छयालीस लाख लोगों को रोजगार दिया था । यह बेरोजगारी की समस्या नब्बे के दशक से ही शुरू हो गई थी । 1991 में यह शुरू हुई और 2000 तक जो स्थिति रही है, 1970 से 1980 के बीच इस देश में जितने रोजगार के अवसर मिले थे, वह इस पीरियड में घटकर एक-तिहाई हो गए यानी 2.8 प्रतिशत से घटकर एक प्रतिशत रह गए । यह स्थिति उदारीकरण की नीति के फलस्वरूप हमारे देश में हो रही है । अगर हमें अपने देश को इस परिस्थिति से बचाना है तो निश्चित रूप से आपको इस बात पर गौर करना पड़ेगा कि हम ऐसे उद्योग जो key उद्योग हैं, ऐसे उद्योगों का निजीकरण हम न करें । आप तो तेल उद्योग का ही निजीकरण करने के लिए तैयार हैं । तेल एक अत्यंत महत्वपूर्ण चीज है । यह आपके आने-जाने के काम में आता है, लड़ाई में काम आता है, आप उसका ही निजीकरण करने के लिए तैयार हैं। क्या इस निजीकरण की नीति के चलते आप इस देश को बरबादी के स्तर तक ले जाना चाहते हैं ? मैं नहीं समझता कि आप यह चाहते हैं । आप भी चाहते हैं कि देश तरक्की करे लेकिन आप इन सारी बातों पर विचार तो कीजिए कि जब इन नीतियों के कारण ऐसी परिस्थितियां पैदा हो जाएंगी तो देश कैसे तरक्की करेगा ? योजना आयोग में श्री एस.पी. गुप्ता की अध्यक्षता में एक विशेष ग्रुप बनाया गया है । उसकी रिपोर्ट को देखिए। सरकार उसकी रिपोर्ट को आने नहीं देना चाहती। योजना आयोग पर दबाव डाला जा रहा है कि एस.पी. गुप्ता की रिपोर्ट नहीं सामने आने पाए। लेकिन उसकी कुछ बातें आ गई हैं और उन्होंने साफ लिखा है कि इस निजीकरण के नाते हमारी बेरोजगारी बढ़ती जा रही है और रोजगार के अवसर कम होते चले जा रहे हैं। श्रीमन्, ऐसी स्थिति में बहुत बड़ा सवाल यही है कि हम लोग इस नीति पर विचार करें। मैं इस सरकार की इस बात से सहमत नहीं हूं जैसा मैं कांग्रेस पार्टी के माननीय प्रणव मुखर्जी की इस बात से सहमत नहीं हूं कि जो नीति 1990-91 में चली उसका यह दुष्परिणाम नहीं है, उसी प्रकार भारतीय जनता पार्टी की सरकार से मैं सहमत नहीं हूं जो यह कहती है कि जो पुरानी नीति है, जो कांग्रेस ने चलाई हम तो उसी पर चल रहे हैं। ऐसा नहीं है। यह भी सही नहीं है। आप बहुत तेज चाल से

चलना चाहते हैं। बहुत तेजी के साथ चल रहे हैं और इस तेजी से हमारे देश की आर्थिक व्यवस्था चौपट हो रही है। इस बात पर भी विचार करते हुए आगे बढ़िए। तो मैं जोसफ साहब की बात बतला रहा था जैसा कि दीपांकर साहब ने बताया। उन्होंने कहा कि यह जो सोचते हैं कि जैसे ही सरकारी नियंत्रण और स्वामित्व किसी उद्योग से खत्म होगा वह शून्य भरने के लिए निजी पूंजी तत्काल तैयार हो जाएगी। ऐसा नही होने वाला है और यही सोचकर ही आप इस बात को कर रहे हैं। जैसा मैंने कहा कि सेंटूर के मामले मे, बाल्को के मामले में अगर जोसफ साहब की बात को माना जाए जो दीपांकर साहब ने भी बताई थी कि जोसफ साहब ने कहा कि इसे निजीकरण की नीति के नाते भ्रष्टाचार बढ़ रहा है। उसको उन्होंने रिश्वतीकरण कहा है कि यह रिश्वतीकरण है। उन्होंने कहा है कि सार्वजनिक उद्योगों को पहले तो राजनेता और उसके अधिकारी निचोड़ते रहे हैं और बेचने के वक्त इतना भर लेते हैं कि कुई पुश्तों तक उनके वारिस भोग करते रहते हैं। इसको उन्होंने रिश्वतीकरण ही कहा है। उन्होंने कहा है कि अगर निजीकरण की बात ही सही होती तो संयुक्त राज्य अमेरिका मे, यूरोप में सुरक्षा की व्यवस्था जो सरकारों के सुरक्षा संस्थान हैं वह नही बनते, सेना नहीं बनती और भी जो चीजें हैं वह नही बनती। तो ऐसी स्थिति उन्होंने कही है, जो उन्होंने बताया है। तो आप जरा इस पर गौर करिए।

श्री सभापति : कौशिक जी, आपका समय पूरा हो रहा है।

श्री रमा शंकर कौशिक : बस मैं दो मिनट में खत्म कर रहा हूं। इससे क्या होगा कि मजदूरों की छंटनी होगी। नौकरी तो आप दे नहीं रहे हैं और मजदूरों की छंटनी करेंगे। जो निजी उद्योग होंगे वह तो चाहते हैं कि ज्यादा से ज्यादा मुनाफा वह कमाएं, उनको कम से कम मजदूरी देनी पड़े चाहे वह बाहर की कम्पनियां आ रही हैं वह भी और जो यहां की कम्पनियां हैं वह भी उनकी कोशिश यही रहेगी कि छंटनी जारी रहे और फिर वह ठेकेदारी की परिपाटी चलाएं। इसी तरह की सुरक्षा हमारे देश के उन मजदूरों की, उन विचारों की नहीं होगी जो हमारें देश में सम्पत्ति पैदा करते हैं। यह बहुत बड़ा भ्रम सरकार फैलाती है कि अगर हमने जी.डी.पी. बढ़ा लिया, सकल घरेलू उत्पाद बढ़ा लिया तो रोजगार के अवसर हो जाएंगे या हमारी मुद्रा-स्फीति आगे हो रही है तो हम बहुत अच्छी खुशहाली पर चल रहे हैं, यह भ्रम की बात है। जी.डी.पी. बढ़ने से रोजगार बढ़े यह कोई जरूरी नहीं है। आप देखेंगे कि पिछले वर्षों में हमारा सकल घरेलू उत्पादन 5.4 से 6.7 हो गया था। लेकिन रोजगारी का प्रतिशत 2.8 प्रतिशत जो बढ़ रहा था उससे घटकर एक प्रतिशत रह गया था। तो सकल घरेलू उत्पाद के बढ़ने से आप सकल घरेलू उत्पाद बढ़ाइए। बड़ी-बड़ी कम्पनियां आ जाएंगी, कम से कम मजदूर रखेंगे, अच्छी मशीनरी उनके पास रहेगी, उत्पादन बढ़ाएंगे, आपका घरेलू उत्पाद बढ़ता चला जाएगा। आप बड़ी-बड़ी कम्पनियों से, बाहर की कम्पनियों से मिनरल्स खुदवायेंगे तो निश्चित रूप से सकल घरेलू उत्पाद बढ़ेगा। लेकिन लोगों को रोजगार मिले, यह हमारे देश की सबसे बड़ी आवश्यकता है। बेरोजगारी ही सामाजिक विषमता का सबसे बड़ा कारण है और यही हिंसा का कारण है। इसको कैसे दूर किया जाए आप इस पर विचार करिए..।

श्री सभापति : अब आपका बहुत-बहुत धन्यवाद। आपने बहुत महत्वपूर्ण बातें कह दी हैं। आप खत्म कीजिए।

श्री रमा शंकर कौशिक : सभापति महोदय, मैं एक मिनट में अपनी बात खत्म करता हूं। सभापति महोदय, मैं आपके माध्यम से माननीय मंत्री जी से कहना चाहता हूं कि आप कृपया संयुक्त जिम्मेदारी का पालन करें। देश के आर्थिक सुधार के लिए, आर्थिक उन्नति के लिए इस निजीकरण की प्रक्रिया को समाप्त करें । आप WTO के उन्हीं आदेशों को मानें जो हमारे देश के हित में हों। अमेरिका WTO के आदेशों को नहीं मानता है। अमेरिका आपसे कहता है, WTO आपसे कहता है कि किसानों की सबसिडी खत्म कर दो और आप सबसिडी को खत्म कर रहे हैं। लेकिन अमेरिका हजारों-करोड़ों डालर अपने किसानों को सबसिडी देता है, सीधे चैक के जरिए देता है, किसी और बहाने से देता है, आप भी कोई ऐसा रास्ता निकालिए। यूरोप में भी यही हो रहा है। एक हैक्टेयर गेहूं बोने वाले को 40 हजार रुपये तत्काल मिलता है, आपके यहां एक हैक्टेयर गेहूं बोने वाले किसान को 25-30 हजार रुपये बेचने पर मिलते हैं और वहां बोने वाले को 40 हजार रुपया तत्काल मिल जाता है और उसकी बेच तो अलग रही। वह गेहूं अगर आपके देश में आयेगा तो क्या होगा ? फिर आपका गेहूं किस भाव बिकेगा ? इन सारी बातों को, इन सारे पहलुओ को सरकार सोचे और देश की तरक्की में भागीदार बने, उसको तबाह करने की कोशिश नहीं करे। धन्यवाद।

THE MINISTER OF STATE IN THE MINISTRY OF COAL AND MINES AND MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI RAVI SHANKAR PRASAD): Hon. Chairman, Sir, I am a Member of this House for the last two-and-a-half years. In the last two-and-a-half years, I have seen frequent debates on disinvestment, but today's debate is a little different from the earlier ones. Earlier, there used to be a debate showing dogged opposition to the disinvestment process itself. Dipankar Mukherjeeji talked about me as a half Minister. Let him treat me as a Member of Rajya Sabha, today only, and in that capacity, today, I am speaking.

Sir, I have seen a change today, and a consensus has emerged. Go for disinvestment, but why privatisation? Go for disinvestment, but why strategic sale? Go for disinvestment, but why complete transfer of ownership? · I was hearing with great attention the speech of respected Pranab Babu. I greatly value his erudition, his learning. Right from the day I became a Member of Parliament, I have learnt a lot from what he has spoken, as to how we should conduct ourselves as Members of Parliament. He very eloquently stated what is the difference between the Congress mode of disinvestment and what we are following, and the sum and substance of his opposition was that they are not for privatisation, and they do not disinvest profit-making companies. This is what I was able to understand. I hope the very eminent Chief Ministers of his party would have been listening to him. The Punjab Chief Minister has very proudly declared

that they are going for disinvestment of Punjab Tractors which, indeed, is a profit-making company. Mr. Amrinder Singh has put on fast track Punjab Communication, which is, indeed, a profit-making company. I would be failing in my duty, Sir, if I do not quote the statement of the Chief Minister of Karnataka, a Congress Chief Minister, where he has said:

> "The primary focus of this policy is to privatise those PSUs that we can, and to close that we cannot privatise."

Therefore, a different sort of consensus is emerging today. Those who are in power, whether in Delhi or in the States, those who wish well of the public sector undertakings, are, at some stage, speaking the same language. Therefore, I differ with my friend, Mr. Dipankar Mukherjee, for whom I have great regards that a consensus is emerging by conduct. And, why is it so? Sir, we live in a democracy, governed by the Constitution. Our Constitution has laid down certain Fundamental Rights, and also certain Directive Principles, which we call 'Fundamental Directives for governance'. Sir, there is a particular article, article 39 (b) & (c). What does it say? The material resources of the country would be used in a manner so as to subserve the common good. Therefore, the goal of the Constitution is common good. The material resources should be used in that manner. How that is to be used is a debatable question. In the beginning, we stated through the socialist mode. सरकार सारे बिज़िनेस करेगी । Why? It went on for years. Ultimately, where did we reach? We have reached a stage where all the PSUs in the States, barring a few, are becoming chronically loss making. People are not getting their salaries. Recently, the Indian Express came out with a series of articles on the state of affairs of PSUs in my State of Bihar where workers are committing suicide, including the incident which happened before the High Court. The Government said "we cannot pay". The matter is pending in court. That is also a path whereby the common good was sought to be attained. But we could not. The second mode, Sir, was that of disinvestment which was initiated by the Government of Shri Pranab babu, when Shri Narsimha Rao was the Prime Minister, and even before Shri Chandra Shekhar's Government. Sir, one more thing I would like to highlight. When we wanted our PSUs to develop, to become profitable, at the international level, some developments took place. I do not want to go into the details of that. The Uruguay Round, the Marrakesh Treaty, the WTO obligations, we would have loved to see those happen on our own terms. But that did not happen. This whole

concept of OGL or withering away of the administrative price mechanism or reduction of duty, none of this happened with our initiative. It was started when they were in power, and was continued when Dipankar babu's party was supporting the United Front Government in Delhi. This is the position which has reinforced the need for the PSUs perforce have to become competitive, to become professional, if we have to live with dignity and subserve the common good, which is the goal of the Constitution. Sir, now we are a successor Government; we cannot undo the obligations which the predecessors have taken, though we have serious reservations, on the global front. But when the time came, we raised out voice. Sir, you are aware, in the Doha Round of talks, we talked about the rights of the common man, availability of cheap drugs, in contrast to the rights of patent. We talked about the right of the labour; we talked about the right of the farmers and those issues we, from the Government, will keep on raising. But the problem is that the need for domestic reform, as Rama Shanker babu was saying, gets mixed up with the dynamics of uncertain and certain processes released by the word 'WTO obligation'. Let us not misunderstand that. We shall fight our war on the international front, in our own way, keeping our national interest in mind. But there is always a need for domestic reform. There is always a need to make our PSUs profitable. And, therefore, if that is the objective, what should be the way out? Sir, I said at the very beginning, ways were adopted, results were there. Now, when we go for PSU restructuring or disinvestment or privatisation, I think, we should keep three objectives in our mind. The first is: there should be a good return to the Government, in terms of money, so that the Government can use it in appropriate social sector development. सड़कें बनाए, अस्पताल बनाए, विद्यालय बनाए । The second is: the PSU should become profitable, should invest, should expand. And, the third is: the workers' interest must be kept in mind. I don't think, Sir, beyond these three considerations, there can be any fourth consideration for focussing on the need to improve a PSU. A very fundamental question has been raised. Do we, as the Government, have the power to analyse as to which mode would subserve the three interests best? If we learnt by experience, if we learnt from the process which we have undertaken for the last so many years, if we feel that these goals, namely, the return to the Government, the profitability, expansion and development of the concern, and the interests of the workers are subserved most by privatisation, certainly, that would be justified. We have disinvested something. Today, I would like to highlight in this House what have been the gains of the last three years.

Let me highlight the return to the Government, at the very outset. What is the position now? The Government has invested Rs.89,337 crores in 240 PSUs. This is Government of India fund. I am not talking about the other institutional funds. The return to the Government in the year 2001 was Rs.8,260 crores. But, what we did in the same year? We gave budgetary support to the tune of Rs.8,896 crores. We gave assistance, in the form of waiver of loan interests, to the tune of Rs.1,830 crores. Besides that, we provided guarantee to loans to the tune of Rs.14,651 crores. These three amounts come to Rs.25,377 crores. Therefore, against an investment of close to Rs.90,000 crores, which is the taxpayers' money--that is very important--the dividend is Rs.8,260 crores and the liability of the Government, in substance, is Rs.25,337 crores. Is it sound economics? This is the question that I ask. If that is the scenario, hasn't the Government got the right to explore, to experiment, to weigh the options of various modes, which can subserve these three objectives? Earlier we went in for broad of Disinvestment, minus privatisation and strategic sale. What was the position? We undertook disinvestments. I am coming to the post-1999-2000 scenario. We sold only 1.13 per cent of the total Government of India shares in the PSUs. It yielded Rs.11,344 crores. We borrowed at the rate of 10 per cent. What was the saving? The saving was Rs.1,134 crores annually. The return from the 36 companies, which we have sold, was Rs.74 crores. Now, I am talking pure economics in terms of benefit to the Government. These 36 companies gave a return of Rs.74 crores. The Government is earning a revenue of Rs.Rs.11,344 crores. I am sorry, the net loss is Rs.74 crores. This amount of Rs.1,134 crores plus the amount of Rs.74 crores, the Government has got Rs.1,208 crores every year, against a loss of Rs.74 crores every year. Is it sound economics or bad economics? This is the question that I am asking. We have done some strategic sale. I would like to give the figures of four companies. I don't want to give more statistics.

श्री दीपांकर मुखर्जी : आप अपनी कंपनी का बोलिए, "नालको" का बोलिए ।

श्री रवि शंकर प्रसाद : हम "बालको" से शुरू कर रहे हैं । वह भी हमारी ही कंपनी है।

The return that we got from BALCO, by disinvestment or strategic sale, was Rs.826 crores. We are saving Rs.82.65 crores. Ten per cent is the interest rate on borrowings. What was the annual return earlier? It was

Rs.5.69 crores. Now, against Rs.5.69 crores we are getting Rs.82 crores. Take the Computer Maintenance Corporation of India. We got a return of Rs.152 crores. We saved Rs.15 crores every year. What was the return? We got Rs.8 lakhs every year. Againt Rs.8 lakhs every year, we are getting Rs.15.2 crores every year. Take the IBP. We got an amount of Rs.1,153 crores. Our net saving was Rs.115 crores. What was the return dividend paid by the IBP? It was Rs.1.84 crores.

Against Rs. 1.84 crore every year, we are earning Rs. 115 crores every year. Take the case of Maruti. The return is 2,424 crore. The earning now is Rs. 24.24 crore. The earlier dividend was Rs. 13 crore. Now, therefore, if a strategic sale gives good return to the Government, in terms of money, which you can release for social development, social welfare, hospitals, school and also for bridging the deficit, I ask the question, why not? And, therefore, I return to my original theme of utilisation of the material resources for the larger common good; and the common good is bringing good money to the Government, which it is doing.

Now, Sir, I come to the second aspect regarding workers' interests. I am happy that this issue has been raised. What has been the condition of most of the PSUs? The workers are not getting their money in time and there is no wage-revisions. The position in Modern Bakeries, Delhi is well known to you. Sir, as Ministers, we are realising, since we have got very wide experience, every year, there is a demand for revision, every year, there is a strike which leads to dislocation of many of the activities of the Government, and puts us into a situation where many times we are forced to divest the funds for use other than for which it is meant, namely, social good. Now, Sir, at the time of disinvestment, we have always thought that we must keep the workers' interest in mind. Sir, let me give the position of BALCO that has been disinvested. A wage agreement has been entered into. The earlier revision was after 10 years. Now this agreement is after five years. Now, there is increase in the allowances which the workers are getting. The night shift allowance has been raised from Rs. 10 to Rs. 20 per shift. The education allowance has been raised from Rs. 50 to 75 per month. The hostel allowance has been raised from Rs. 150 to Rs. 200. The scholarship to their children has been doubled. The conveyance allowance, in the case of scooter, has been raised from Rs. 400 to Rs. 500, in the case of Moped, from Rs. 240 to Rs. 350. Sir, here is a case where the workers are getting increases in their allowances, and the Government is getting the

best money possible. If that is the case, what is wrong with this particular route which the Government has adopted?

Sir, due to paucity of time, I am not referring to the other benefits which they have got. I am only giving some illustrations. Let me give you certain instances, in terms of development of BALCO.

BALCO is proposing modernisation and expansion by four times at an estimated investment of Rs. 6,000 crores. Now, I put a question to myself. I just said, we were getting Rs.5 crore annually, as dividend. , If it had not been disinvested, this expansion plan would have come to us. We would have to give some kind of guarantee to these loans. There would have also been demand for some kind of budgetary support. Now, if I am creating a situation whereby; a) the Government is getting the best returns; b) the workers are getting the best incentives possible; and c) there is expansion, without the Government putting any funds therein, what is wrong in it?

Shri Ramashankar Kaushik was talking about development and the rights of the workers. Now, here, are the rights of the workers are being protected more after disinvestment or earlier, is a question which I would like to place for the consideration of the House. Sir, the strategic route which was adopted in the case of Modern Foods... I will just take five minutes and, thereafter, I hope...*(Interruptions)*

श्री दीपांकर मुखर्जी : माडर्न फूड पर बहुत बार बोल चुके हैं, नाल्को के बारे में ...**(व्यवधान)**...

श्री रवि शंकर प्रसाद : क्यो नही बोलूंगा । ...**(व्यवधान)**...

SHRI DIPANKAR MUKHERJEE : Mr. Chairman, Sir, whatever he is talking about, I mean, whatever are the achievements, why does he not explain to the workers of NALCO कि भाई वर्कर्स का फायदा होगा, ...**(व्यवधान)**...

श्री रवि शंकर प्रसाद : मैं अपने तरीके से बोलूंगा कि उनके तरीके से बोलूंगा? ...**(व्यवधान)**...

श्री भारतेन्दु प्रकाश सिंहल : सच्चाई का सामना नहीं कर पा रहे हैं। ...**(व्यवधान)**...

श्री दीपांकर मुखर्जी : चलिए देखें, सामना करेंगे कि नहीं? ...(व्यवधान)... I challenge him. Is he prepared to come to NALCO along with me? (*Interruptions*).

श्री भारतेन्दु प्रकाश सिंहल : नाल्को वाली ट्रेड यूनियन्स को ले चलिए बाल्को में ।

SHRI RAVI SHANKAR PRASAD: Sir, I do not want to remind Shri Dipankar Mukherjee that I have great regard for him because right from the day I have become a Member of this House, he has given me tips as to how to become a good MP.

SHRI DIPANKAR MUKHERJEE: Sir, I have great regard for him as well as the Cabinet Minister.

SHRI RAVI SHANKAR PRASAD: You only treat me as half and not full.

SHRI DIPANKAR MUKHERJEE: Because you are not a Cabinet Minister.

SHRI RAVI SHANKAR PRASAD: Sir, I was trying to know as to what is happening in China. I know as to what is happening in West Bengal. But I was very keen to know as to what is happening in China. Sir, to my utter surpirse.... (*Interruptions*).

श्री मुरली सीताराम देवरा (महाराष्ट्र): सब प्वाइंट आप ही बोल देंगे तो बाद में हम क्या बोलेंगे।

श्री रवि शंकर प्रसाद : मेरी पार्टी का समय है, मुझे बोलने तो दीजिए ।

At the 15th Congress held in September 1997, the Communist Party of China decided to engage in fundamental restructuring of three lakh State-owned enterprises by merger, by acquisition, by corporatisation, by privatisation and declaring bankruptcies. हमसे भी आगे चले गए, पता नहीं दीपांकर बाबू कभी चाइना की ओर देखते हैं या नहीं देखते हैं

SHRI DIPANKAR MUKHERJEE: Sir, he has taken my name. I have with me the report of the 16th Party Congress. If he talks about the 15th, kindly allow me to quote from the 16th Party Congress. (*Interruptions*).

MR. CHAIRMAN: Let him conclude.

SHRI DIPANKAR MUKHERJEE: Sir, he is misleading the House. (*Interruptions*).

SHRI RAVI SHANKAR PRASAD: I am not yielding. (*Interruptions*). Sir, I have not yielded. (*Interruptions*).

MR. CHAIRMAN: Let him finish. (*Interruptions*).

SHRI DIPANKAR MUKHERJEE: Sir, why should he talk only about the 15th Congress? Why not 16th Congress also? (*Interruptions*).

SHRI RAVI SHANKAR PRASAD: Sir, he took my name twice, but I did not interrupt him.

श्री दीपांकर मुखर्जी : चाइना हो गया, 15,16 सब करेंगे । हिन्दुस्तान की बात नहीं है।

SHRI RAVI SHANKAR PRASAD: Is it not a fact that China is trying to privatise roughly half of the 60 to 70 per cent stake in Shanghai's 900 district stocks? The State Economic and Trade Commission has given a green signal for 300 companies to be partially privatised over the next five years. These are the decisions. We have got certain other differences. I do not want to take the name of Germany. I do not want to take the name of other countries. Having said all this, I would like to highlight one particular issue in regard to the position of the Paradeep Phosphate Ltd because it is a very classical case. Why is it important? It is important for the simple reason that it was in a very critical condition. Sir, I would only like to highlight how it happened and how the change took place. In the Paradeep Phosphate Ltd. the workers were not paid their wages and the wage revision was also due. Now what has happened is, we disinvested it through a strategic route. The wage revision has been effected from March, 2002. Sir, may I tell you what is the average increase in their wages? It is Rs. 2,789/- per month per worker. The average salary has gone up from Rs. 9,360/- to Rs. 12,419/-. Sir, a particular company which was in chronic loss, today all its plants are running to 100 per cent to 120 per cent capacity. The DAP production and the phosphoric acid production has trebled in six months. सर, मुझे यह बताया जाए कि अगर स्ट्राटेजिक रूट देने के बाद

2.00 p.m.

हमें अच्छे पैसे मिलते हैं, वर्कर्स का रिवीजन दुगुना हो जाता है, फ्लाउंसस बढ़ते हैं, प्रोडक्शन तिगुना बढ़ जाता है, तो देश हित में यह है या वह है जो ये बता रहे हैं ?

I would like to say that the Government should be given a right to consider as to which mode of disinvestment would be the best for the country and that should be transparent and accountable. Sir, here I have given facts and figures as to how the mode which the Government has adopted has given the best results.

In conclusion, I would only say that today we need to consider that, if we have to reform economically, which is the need of the hour, there will have to be a consensus.

This consensus need to come about with an experience and also experiment. And, therefore, I repeat, the Governments, whether in Delhi or in States, irrespective of the colour, whether it is in Karnataka, whether it is in Punjab, or even Budhadev Babu, they speak the same language, by and large. Because, from experience, they are learning and it is the best route. So far as the Government is concerned, this commitment of ours to bring in reforms with a human face, we have to consider whether we want weeping, crying, loss-making, chronically-sick PSUs, or we want a vibrant PSU, a vibrant organisation, where workers are happy, where productivity is more and return to the Government is high. Thank you, Sir.

[THE VICE-CHAIRMAN (SHRI RAMA SHANKER KAUSHIK) in the Chair]

SHRI P.G.NARAYANAN (Tamil Nadu): Mr. Vice-Chairman, Sir, for the past one decade, the Government has raised more than Rs.25,000 crores by divesting the shares of some two dozen PSUs. Despite claims to the contrary, this money has not been kept aside for health-care, education, rural development, poverty alleviation or even retiring the public debt. The proceeds of divestment have disappeared into the black hole, called the Consolidated Fund of India and is used to bridge the Budget deficit. In plain terms, the family silver has been sold to pay the butler. The Government should try to get maximum revenues from disinvestment of PSUs. The manner in which the assets of the PSUs have been valued,

especially land, has raised innumerable doubts in the minds of right-thinking citizens. In April, 2002, the Standing Committee on Finance noted that the asset valuation guidelines are inadequate and vague, especially, on the issue of land valuation of the divested units. The methods used to value the business of PSUs before these have been privatized are highly contentious and Government bodies are not at all involved in the exercise. Private firms, that value assets and discount future cash flows, invariably keep reserve prices of the share of PSUs very low. Crucial documents like the Share Purchase Agreement and the Shareholders Agreement are not made public. A report of the Comptroller and Auditor General of India has stated that the assets of Bharat Aluminium Company were undervalued to the extent of Rs.300 crores. I am not opposing the disinvestment or privatisation. Sir, my suggestion is that profit-making public sector units should not be privatised. There is no objection, if the Government sells loss-making public sector units. For example, NALCO and Salem Steel Plant are profit-making units. But, the Government is trying to sell these units also. Sir, the Salem Steel Plant has earned international reputation for its quality products. It has an inherent advantage of technological excellence backed by a competent and optimal workforce. The major constraint is sourcing of raw materials from reliable sources at economic prices. Sir, for these, facilities were set up both at Alloy Steels Plant and Durgapur Plant for supply of stainless steel slabs to Salem Steel Plant on a sustained basis.

A modest investment of around Rs.50 crores is required to upgrade production of quality stainless steel slabs of the Alloy Steel Plant and the same can be supplied to the Salem Steel Plant at a reasonable cost. This will help revive both the Alloy Steel Plant and the Salem Steel Plant at one stroke. The Government should immediately stop the privatisation process of the Salem Steel Plant.

I am stating here the valid grounds against the disinvestment of the Salem Steel Plant. The export potential of the stainless steel industry is likely to continue for, at least, another decade. It would be worthwhile to invest a meagre sum of Rs.50 crores in the Alloy Steel Plant so that both the Salem Steel Plant and the Alloy Steel Plant can harness the export potential, that is, to China and other South-East Asian countries, which will, definitely, bring a lot of foreign exchange to the exchequer.

Sir, the Salem Steel Plant has contributed towards the strategic growth of Department of Atomic Energy, missile technology and our country's nuclear programme. Above all, the Tamil Nadu Assembly passed a unanimous Resolution against disinvestment of the Salem Steel Plant. While disinvesting any PSU, the will of the people should be taken as the main consideration and, hence, we should respect the sentiments expressed in the Tamil Nadu Assembly. Any step towards disinvestment of the Salem Steel Plant will be against the will and sentiments of the people. The Government should seriously consider the above proposal and take steps on a war-footing to revive the Salem Steel Plant, as this would fetch huge profits in the near future.

The principle of disinvestment needs to be more clearly defined if we are not to run into difficulties. It should be made clear that the units, which are making losses, would automatically qualify for privatisation as the State is in no position to bear this burden. At present, we are continuing to be loaded with unproductive units while the jewels of the public sector are being sold at throw-away prices. The result is growing privatisation under the programme of disinvestment.

Sir, even the Planning Commission, dominated by privatisation policies, has assumed Rs.78,000 crores as resource generation from disinvestment to finance the Tenth Five Year Plan, and this has just been approved. The RBI Report says that the real challenge, however, lies not merely in closing down non-viable public sector enterprises but in the restructuring of potentially viable PSUs and, significantly, scaling down of the Government equity in all non-strategic areas.

Then, the Government should not neglect infrastructure development. What we need today is basic infrastructure improvement, say in power sector, roads and in sectors like Telecommunication. If we can get foreign investment in these sectors, the Indian scenario can change dramatically along with the defined objectives of the disinvestment programme. Thank you, Sir.

SHRI S. VIDUTHALAI VIRUMBI (Tamil Nadu): Mr. Vice-Chairman, Sir, as hon. Members have said, the issue of disinvestment has been discussed in this House several times, with the same result. Sir, the issue of disinvestment is an important one, and I hope the hon. Vice-Chairman will

be a little bit considerate to us. When we go into the disinvestment issue, we should not take up individual enterprises or a particular company, but we should consider the public sector enterprises as a whole. If we go into the totality of the public sector, it has not been making losses. If you take the loss-making units and profit making units together, in 2000-2001, the public sector enterprises have contributed to the Government of India, by way of dividend, interest, corporation tax, excise duty and customs duty, Rs.83, 818 crores -- dividend Rs.8,260 crores; interest Rs.23,802 cores; corporation tax Rs.10,895 crores; excise duty Rs.31,352 crores; customs duty Rs.8,645 crores; other duty Rs.864 crores -- excluding the profit. The total profit is Rs.28,492 crores, therefore loss is of the order of Rs.12,839 crores. So, the net profit of the public sector comes to Rs.15,653 crores. If anybody says that the public sector units, as a whole, are running at a loss, we do not accept it. That is what we want to make clear. We have earned Rs. 83,000 crores, plus more than Rs.15000 crores in profit account total nearby Rs. one lakh crores. Secondly, if some industries are running at a loss, how do we make it up? In case the efficiency can be improved, the management can be improved, the productivity can be improved, the net profit can be improved, we can resort to disinvestment. Sir, the Mckinsy Global Research Institute says, one per cent improvement in the management practices could generate an average of 5.1 per cent increase in the return on the capital employed. This is applicable not only to the private sector, but also to the public sector. Therefore, we have to concentrate on that particular area. Efficiency is applicable both to the public sector and to the private sector. We should not think that the private sector is always more efficient. If the private sector was always more efficient than the public sector, then, the BIFR would not at all have been necessary for us.

Sir, I will come to my next point. The position is that, the total capital employed is Rs.3,30,000 crores. So far as the Bharat Petroleum Corporation Ltd. and the Hindustan Petroleum Corporation Ltd. are concerned, I feel that there is a difference of opinion among the Treasury Benches only in the matter of strategy that they have adopted, and not in the matter of policy. One is strategic sale, and the other is public offer. This is the point of difference among the Treasury Benches, I suppose.

Now, the Government want to realise Rs. 78,000 crores through disinvestment, in the Tenth Plan. But, from July or August, 1992, till July

or August this year, successive governments have been able to realise only Rs.29,000 crores through disinvestment. That is the amount we have realised during the last ten years. When it is so, I feel that the amount realised through disinvestment should not be utilised for revenue expenditure. It should be utilised only for the rehabilitation of the sick industries in the public sector. Why do I say that? Just now, my friend mentioned about the Salem Steel Plant. When the DMK Government was in power, the Tamil Nadu Legislative Assembly passed a resolution that the Salem Steel Plant should not be disinvested; it should remain in the public sector. Sir, this is an important issue, and I want to state some important facts for the kind consideration of the hon. Minister. There are some vested interests which are out to capture that plant. Now, the total investment in the Salem steel plant has been of the order of Rs.1105 crores. Its market value, today, is Rs.2,500 crores. So, if you take the investment of Rs.1105 crores out of it, this unit has given Rs.1400 crores to the exchequer. And, this is apart from a foreign exchange saving or earning of Rs.900 crores. That means, they have earned Rs.2300 crores, on an investment of Rs.1105 crores only. That is so far as the Salem Steel Plant is concerned.

Now, for the Rourkela Steel Plant, you have given Rs. 5000 crores out of your own resources. For the Durgapur steel plant, you have given Rs.4,850 crores. For the Bokaro steel plant, you have given Rs.2,450 crores. For IISCO, you have given a bail-out package of Rs.1,900 crores; also, you have decided to give Rs. 1080 crores for rehabilitation of the workers. When you are prepared to do all these things from out of the Steel Development Fund, from your internal sources, you have directed the Salem steel plant administration to take the loan from the bank. Why is there this type of discrimination? We feel, there is a different treatment for the people from Tamil Nadu, because we are from the South. For the steel plants of Durgapur, Rourkela, Bokaro and IISCO, you are paying from your own resources, but for the Salem steel plant, you are asking them to take a loan from the bank. The Salem Steel Plant is suffering because of its interest payments. I submit that you should pay Rs. 1900 crores, or whatever amount they have taken from the bank, from your own resources. And, that amount should be treated as an investment from your internal resources. Also, there should be no interest charges on that. If that is done, I am sure, the Salem Steel Plant will become economically viable, and technically feasible. On this issue, Sir, we all stand together. We feel strongly that the Salem Steel Plant should not, on any account, be disinvested.

The second point is about the Bharat Gold Mines Ltd. Sir, in copper cable sale, there has been some understanding between the bureaucrats and the contractors, I am told. I do not know whether it is a fact. If there is something wrong, if you smell a rat there, please find out and see to it that it is rectified. Again, in the case of the BGML, if you adopt the latest technology, it will become viable; it will become a profit-making unit.

Now, out of Rs. 23,000 crores that you have earned, why are you hesitating to invest in the Hindustan Photo Films Manufacturing Co. Ltd.? Sir, the people from the HPF have sent a letter to the hon. Prime Minister on September 24. It was written by Shri Mubarak, former Whip of the D.M.K. in the Tamil Nadu Legislature. The letter says:

> "The Hindustan Photo Films Manufacturing Co. Ltd, a Government of India undertaking, is the only integrated manufacturer of photo-sensitized products like medical X-Ray films, catering to the requirements of Government hospitals, industrial films, ordnance factories, aerial films for Air Headquarters, magnetic films for All India Radio and so on. The company is before the BIFR. It was declared sick in 1999. But it has been continuously producing goods worth Rs.30 crores per annum. The BIFR has issued a winding-up notice on June 30. The technical expertise developed, over the last thirty years in photo-sensitized manufacture of Hindustan Photo Films should be saved, preserved, protected and further developed in the national interest. Let us take a leaf out of the Chinese philosophy, who have saved, preserved, protected and developed the photo film manufacturing company as a Government run unit, despite opening up their economy fully. Before any drastic action is taken, we request you to influence the Union Government to take a suitable decision on the rehabilitation of HPF at the earliest. HPF is the only industry in this backward district of Tamil Nadu".

Sir, apart from Salem Steel Plant, BGML and HPF, there is Tamil Nadu Explosives Limited, which is also a public sector company. In the

current year, it has made a profit of more than Rs.10 crores. I appeal to the Government, through you, Sir, to advise the Government of Tamil Nadu not to disinvest the Tamil Nadu Industrial Explosives Limited, because it is a profit making company and giving employment to thousands of people. I, therefore, feel that... (*Interruptions*)

SHRI P.G. NARAYANAN: This is a common cause

SHRI S. VIDUTHALAI VIRUMBI: Yes, this is a common cause. So, this is my request to the Government, as far as Tamil Nadu Explosives Limited is concerned. There is another issue. But I don't want to mention in the House because it is in the court; the court has not taken cognisance of it. I would also like to say that the transport workers are suffering because of the disinvestment policy being pursued by the State Government. Therefore, I appeal to the Central Government...

SHRI P.G. NARAYANAN: Because of the DMK Government, the exchequer is empty. That is why the present Government has to...

SHRI S. VIDUTHALAI VIRUMBI: It is not like that. It is a profit making company. There is no time at my disposal to explain it. We had arranged more than Rs.45 crores and given it to that factory. I appeal to the Government concerned not to disinvest it. If at all the Central Government wants to pursue the policy of disinvestment, it should be done for the sake of efficiency and increasing the productivity. The amount so realised through disinvestment should be utilised only for the development of public sector enterprises. With these words, I conclude, Sir.

डा. रमेन्द्र कुमार यादव 'रवि' (बिहार) : माननीय उपसभाध्यक्ष जी, सदन मे अभी विनिवेश पर अल्पकालीन चर्चा हो रही है । यूं इसके पूर्व भी विनिवेश पर आए संकल्प पर मुझे बोलने का अवसर मिला था । आज आदरणीय प्रणब बाबू ने, श्री रवि शंकर प्रसाद जी ने, श्री दीपांकर जी ने, श्री रमा शंकर कौशिक जी ने, श्री पी.जी. नारायणन जी ने और श्री विरुम्बी जी ने अपने विचार प्रकट किए हैं । मैं आपके माध्यम से, जो मैंने उस दिन कहा था, आज फिर यही कहना चाहता हूं, मैं इस पर गहराई से विचार करने का दावा नहीं कर सकता कि आज विनिवेश के संबंध में मुल्क में जो अवधारणाएं बन रही हैं, उसमें लोग यह समझ रहे हैं कि औने-पौने भाव में सरकार सरकारी सम्पत्तियों को बेच रही है और यह आम लोगों की धारणा है । इस मुल्क में इस सदन के बाहर भी अर्थशास्त्री हैं, विशेषज्ञ हैं, समीक्षक हैं, आलोचक हैं, वे हम लोगों से कम नहीं जानते हैं, उनकी भी क्रियाएं, प्रतिक्रियाएं, अवधारणाएं पढ़ने और देखने को मिलती हैं, उनकी अनदेखी नहीं होनी चाहिए । हम विनिवेश कर रहे हैं, हम समझ सकते हैं । आर्थिक

सुधार एक प्रक्रिया है । चीन ने ऐसा किया, अमरीका ने वैसा किया, हमें यह नहीं देखना चाहिए। अमरीका जो कहता है, क्या वह करता है ? इराक पर सारे प्रतिबंध हैं लेकिन उन प्रतिबंधों से वह मुक्त है ! इस संसार में आज महाजनी चल रही है । यह महाजनी सभ्यता है, वह कर्ज देता है, मदद करता है और फिर अपने मन के मुताबिक वह कराता है । अभी हमारे माननीय सदस्य श्री रमा शंकर जी बोल रहे थे कि कई लाख लघु उद्योग बंद हो चुके हैं और कितने ही बंद होने के कगार पर हैं । मैं कल टी.वी. देख रहा था कि तमिलनाडु में संभवत: तमिलनाडु की कालेज की लड़कियां वीवर्स के बनाए हुए कपड़े पहन रही हैं, जीस को छोड़कर साड़ियां पहन रही हैं ताकि हथकरघों में काम करने वाले गरीब लोगों का कल्याण हो । मैंने उस दिन भी कहा था कि इस देश में एक वक्त आया था कि जब इस मुल्क की चल-अचल सम्पत्ति को, राजा-महाराजाओं की सम्पत्ति को लेकर उसका राष्ट्रीयकरण किया गया था । आज मुल्क की सम्पत्ति, जो बहुत मेहनत के बाद यहां जमाई गई, उसका निजीकरण हो रहा है । श्री दीपांकर जी ने भी कहा कि वह एक करप्शन है, privatisation is a corruption. मैं नहीं जानता कि वह कहां तक करप्शन है लेकिन मैं यह कहना चाहता हूं कि सरकार की इस विनिवेश नीति में पारदर्शिता की कमी है । सरकार के पास क्या इन्फ्रास्ट्रक्चर है ? क्या वेतन देने के लिए सरकार विनिवेश कर रही है या वित्तीय घाटे की पूर्ति के लिए सरकार विनिवेश कर रही है ? आखिर किस काम में वह इन रुपयों को लगाना चाहती है ? मैंने कल या परसों के अखबार में आदरणीय शौरी साहब का बयान देखा कि प्रधानमंत्री या उप-प्रधानमंत्री विनिवेश पर अपनी कुछ राय देंगे । दीपांकर जी ने अच्छी बात कही थी कि यह संपत्ति माननीय प्रधानमंत्री जी की, उप-प्रधानमंत्री जी की या कैबिनेट में जो मंत्रीगण हैं, उनकी संपत्ति नहीं है, यह संपत्ति इस मुल्क के लोगों की है । यह देश की संपत्ति है । वे इस संपत्ति के रखवाले हो सकते हैं, चौकीदार हो सकते हैं लेकिन मालिक नहीं हो सकते, इस बात को याद रखिए । आप जनप्रतिनिधि हैं और अब तो पीपुल्स रिप्रेजेंटेशन बिल भी आने वाला है, सब एक ही कटघरे में हैं ।

उपसभाध्यक्ष महोदय, मैं यह कहना चाहता हूं कि मैं एक लोहियाइट हूं, मैं कहना चाहता हूं कि जो सरकारी उपक्रम हैं, उनमें आरक्षण के आधार पर चतुर्थ वर्गीय और तृतीय वर्गीय पदों पर लोगों को नौकरी मिली थी । सरकार के कुछ निर्धारित मानदंड होते हैं, कुछ नीतियां होती हैं, जिनके आधार पर उनको नौकरियां दी गई थीं । आज बिड़ला, टाटा, डालमिया, अम्बानी या अन्य कोई उद्योगपति, क्या आरक्षण की इन नीतियों के आधार पर अनुसूचित जाति, अनुसूचित जनजाति और पिछड़े वर्ग के लोगों को नौकरियां देंगे ? जिन लोगों के हाथों में हम अपनी संपत्ति को बेच रहे हैं, क्या वे उस आरक्षण नीति का पालन करेंगे ? वे व्यक्ति आज बेरोजगारी के कगार पर खड़े हैं । सरकार ने वायदा किया था, प्रधानमंत्री जी ने वायदा किया था कि हम रोजगार को बढ़ाकर एक करोड़ कर देंगे । नियुक्तियां तो हुईं नहीं, उल्टे केन्द्रीय सेवाओं में जो लोग हैं, उनके सेवाकाल में दो बरस की वृद्धि हो गई । सरकार की इस नीति को मैं क्या मानूं ? क्या सरकार सही मायने में गरीबों के लिए कमिटेड है या व्यावसायियों के लिए कमिटेड है ? अब इन उपक्रमों को ले कौन रहा है ? इस सदन में बैठे हुए लोगों की हैसियत नहीं है कि वे इसे खरीदेंगे, जो अरबपति हैं, वे खरीदेंगे, जो खरबपति हैं, वे खरीदेंगे। इसलिए मैं कहना चाहता हूं कि इसमें पारदर्शिता चाहिए और इस पर पुनर्विचार करना चाहिए ।

महोदय, वैसे तो सरकार को हक है कि वह अपनी अर्थ नीति बनाए लेकिन अर्थ नीति का मतलब अनर्थ नही होता है । सरकार सुविचारित ढंग से, सबको कान्फिडेंस मे लेकर यह काम करे । रवि शंकर प्रसाद जी बोल रहे थे कि कांग्रेस ने ऐसा किया, हमने ऐसा किया, चीन ने ऐसा किया । प्रणब बाबू ने कहा कि डा. मनमोहन सिंह का जो विनिवेश का कंसेप्ट था या नरसिंहराव जी की WTO की जो डैफिनेशन और कंसेप्ट था, और मौजूदा सरकार का विनिवेश के संबंध मे जो कंसेप्ट और डैफिनेशन है, उसमें बुनियादी अंतर है ।

महोदय, मैं फिर यह कहना चाहता हूं कि यह देश कभी भी अमरीका नहीं हो सकता, यह देश कभी भी जापान नहीं हो सकता, यह देश कभी भी जर्मनी नहीं हो सकता, यह देश कभी भी फ्रांस नहीं हो सकता, यह देश यह देश है जहां सारे धर्म फलते-फूलते हैं, लड़ते-झगड़ते हैं, यहां की प्रकृति, यहां की मानसिकता, यहां की कृषि हमारी अर्थव्यवस्था का आधार है और इसी पर 70 प्रतिशत लोगो का जीवन आधारित है । इसलिए हम अमरीका और फ्रांस की दौड़ मे शमिल नहीं हो सकते । इसलिए यहां की समाज व्यवस्था, यहां की अर्थव्यवस्था की रीढ़ को और समाज की मानसिकता को दृष्टि मे रखकर विनिवेश किया जाना चाहिए था । मैं यह कहना चाहता हूं कि यह मुल्क जिस मुल्क मे हम रह रहे हैं, यह मुल्क बड़ा ही विचित्र है और इस मुल्क की अनदेखी नही होनी चाहिए, इस मुल्क में रहने वाले लोगो की अनदेखी नही होनी चाहिए। सरकार अनदेखी कर रही है और मैं यह कहूं कि व्यापारियो के प्रभाव मे व्यवसायीकरण हो रहा है और --**(समय की घंटी)**

मान्यवर, मुझे दो मिनट और चाहिए। मैं दो मिनट कहना चाहता हूं। यह सही है कि सरकार बहुत जगह पर कारोबार नहीं कर सकती। खासकर कम्पनियो के संचालन का काम हर जगह सरकार के वश का नहीं होता है। प्रबंधन को प्रभावकारी बनाने और उत्पादन बढ़ाने के लिए जरूरी होता है कि सरकारी नियंत्रण में कुछ कमी की जाए। इसके लिए निश्चित रूप से कुछ सार्वजनिक उपक्रमों का विनिवेश एक रास्ता था।

उपसभाध्यक्ष (श्री रमा शंकर कौशिक) : माननीय सदस्य, आप क्या पढ रहे हैं?

डा. रमेन्द्र कुमार यादव "रवि" : अपने विचार पढ रहा हूं, मैं कोट नहीं कर रहा हूं।

उपसभाध्यक्ष (श्री रमा शंकर कौशिक): ठीक है।

डा. रमेन्द्र कुमार यादव "रवि" : दूसरा, जिस समय विनिवेश की प्रक्रिया शुरू हुई थी तो यह तय किया गया था कि विनिवेश के जरिए कम्पनियो मे प्रबंधन का हस्तांतरण होगा ताकि प्रतिस्पर्द्धा के दौर मे कम्पनियां टिकी रह सकें। लेकिन वास्तविकता यह है कि विनिवेश की मौजूदा प्रक्रिया प्रबंधन का हस्तांतरण नही है, बल्कि सार्वजनिक सम्पत्तियो का हस्तांतरण है। तीसरा, विनिवेश का एक उद्देश्य कई सेवाओं में से एकाधिकार खत्म किया जाना था परन्तु सरकार सार्वजनिक सम्पत्तियो का हस्तांतरण कर बाजार मे नए तरह का एकाधिकार पैदा कर रही है। सरकार ने मॉडर्न फूड को बेचा, निश्चित रूप से इससे खरीदार का एकाधिकार बहाल हुआ। ऐसी ही सरकार ने आई.पी.सी.एल. को रिलायंस के हाथो बेच दिया। इससे भी

एकाधिकारी प्रवृत्ति को बढ़ावा मिला। चौथा, विनिवेश नीति की सबसे बड़ी गड़बड़ी यह है कि यह सरकार मुनाफा वाली कम्पनियों को बेच रही है जबकि तय यह किया गया था कि जो कम्पनी घाटे में चल रही है उसका ही विनिवेश किया जाएगा। पांचवा, एक और घोर आपत्ति की बात यह है कि सरकारी कम्पनियों की सभी चल-अचल सम्पत्तियों को औने-पौने दामों पर बेचा जा रहा है। बाल्को के विनिवेश मामले में सी.ए.जी. ने भी कह दिया है कि इसकी कीमत लगाते हुए 300 करोड़ रुपए के करीब कम का आकलन हुआ है। सरकार ने रिलायंस और एस्सार जैसी कम्पनियों को खुले बाजार में आने की इजाजत देदी। ये दोनों कम्पनियां अपनी खुदरा बिक्री केन्द्र खोल सकती है। इससे हम लोगों को कोई आपत्ति नहीं है। लेकिन सरकार अपनी कम्पनियों के मार्केट शेयर तो नही बेचे। ऐसे में सरकार की मंशा पर भला ऊंगली कैसे न उठे?

अन्त में, क्या सरकार यह स्पष्ट कर सकेगी कि जब वह कोई कम्पनी बेचती है तो उसे आमदनी होती है लेकिन वह आमदनी कहां खर्च होती है यह शायद सरकार को भी पता नही हो। सरकारो खर्च में कटौती के बदले लगातार बढ़ोत्तरी हो रही है। उसे पूरा करने के लिए कहीं से तो धन जुटाना है। कहीं विनिवेश को ही तो सरकार ने अपना खर्च पूरा करने का जरिया नही बना लिया है? मान्यवर, मैं फिर कहना चाहता हूं कि अगर...**(व्यवधान)**...

उपसभाध्यक्ष (श्री रमा शंकर कौशिक) : आप कृपया समाप्त करें।

डा. रमेन्द्र कुमार यादव "रवि" : बस खत्म हो गया।

DR. T. SUBBARAMI REDDY (Andhra Pradesh): Mr. Vice-Chairman, Sir, my friend Shri Ravi Shankar has already left the House. I would have been happy if he had listened to what I am going to say. He came here as a very efficient lawyer pleading the policy of the Government. But everybody has got a doubt. He is a Minister of State for Mines associated with Uma Bhartiji. She has been against the disinvestment of NALCO. But he has outrightly been pleading for disinvestment. Therefore, I would like to know what his actual policy is. ...*(Interruptions)*.. It is a very interesting point for everybody. But one thing is there. Sir, we must not forget the sentiments of the people of India and the great tradition and cultural heritage of this country. Money is important, capital is important and employment is important. Everybody knows it. But what is happening is totally impracticable and theoretical. On this occasion, I would also like to say that Dr. Manmohan Singhji's concept of liberalisation has been totally and grossly mistaken by the present Government. Dr. Manmohan Singhji, who is considered as the architect of this concept, wanted to build up this nation with a practical concept. He thought that if the money was not sufficient within the country itself to invest in various industries and to construct various projects, then we must allow globalisation and we must

allow the world to participate. We thought, to get an industry, one must get a licence and there are so many problems involved in getting a licence. So, he liberalised. He said, 'let us do it.' He also said, 'if anybody wants to invest in an industry, you are welcome.' That is how he has introduced reforms and liberalisation. Disinvestment is only a decimal point in the system. He or the Congress Party or our Government never said, 'disinvestment means disinvest the profit-making companies.' I have great respect for Shri Arun Shourie. He is a very scholarly man, great journalist and a learned man. He just wanted to implement the policy of the NDA Government. But, here, I would like to draw his attention that he should not forget the sentiments of the people. There is a simple point involved in it. You are thinking of selling away the sick units through disinvestment. It is very good. Nobody objected to it. No party or no Member of Parliament objected to it. If a public undertaking is incurring losses and if the Government wants to disinvest and give its management to private people, it is welcome. If they do it, it is a very good thing.

The second point is, there are so many public undertakings in the country. I am not going into the details. When they are making profit, still you want to sell them or disinvest them citing three or four reasons. The first reason the Government says is that it requires Rs. 78,000 crores in the Tenth Five Year Plan to bridge the gap of fiscal deficit. So, the Government wanted to have it through this way. It is totally wrong. Sir, the Government is not a business house, a company or organisation to get Rs. 78,000 crores by selling away our profit-making companies or public undertakings to fill the gap and say that that money could be utilised for the social reforms, social obligations, social security and other social purposes. It is totally wrong. I fail to imagine as to how this idea came before the Government.

The second point is this. There is an argument going on in the newspapers and, just now, Shri Ravi Shankar Prasad has also given some examples. He said that some particular industry is very good. It is giving a profit of Rs. 10 crores. If you sell this, you will get Rs. 50 crores. This is not the way. For example, you take Visakhapatnam Steel Plant. I will give you this small example. It falls in my constituency. I know that a number of people gave their lives for this steel plant. They died in the agitation to get this steel plant. It came. It suffered. Then, it has become a sick unit. Now, it is getting extraordinary profits. This steel plant is one of the best

public sector steel plants in the country. Now, if you touch it, the sentiments of the people are disturbed. Here, they will not say that two multiplied by two is four, or, three multiplied by three is nine. If you privatise, there will a problem. Now, the Government is getting, say, Rs. 500 crores. Or, you may get Rs. 2,000 crores. But, this is not a good thing. This is a very dangerous thing. There is going to be a phenomenal danger in this country. It is because you cannot calculate like that. Therefore, my suggestion, as Pranab Babu has said, is this. You cannot follow the policy of selling away the profit-making units blindly because they are not giving sufficient dividend and thinking that if you go in for privatisation you get more dividend. I do not know what this philosophy is. Who gave this idea? This idea is totally wrong. I am in the field of business for four decades now. I have got full knowledge on this. It is totally wrong. The business is different, the country's sentiments are different, the practical things are different and the Constitutional commitment is different. Therefore, if a public sector undertaking is incurring losses and has become sick, our Comrade babus also never object to disinvestment. But everybody's heart burn is, a public undertaking, when it is making profits, cannot be disinvested on the plea that, 'No, no. We get more money. We sell it to do social services.' It is not correct. Then, how many practical problems we have? You are a man with a very good image and integrity. Still, people say we have sold a very good property, good business, a good public undertaking for a small price. Yes. It is very difficult to justify. You may have transparency and might have made a lot of efforts but, still, it is impossible to convince the citizens of the country and the world that, 'yes; everything is transparent and nothing has gone wrong.' It is impracticable. And, also, there is a feeling that there is public monopoly. Nobody wants public undertaking monopoly. You are going to create private monopoly. And another most important thing is, the philosophy of the Constitution of India. The people feel, that any wealth created by the public undertakings should be distributed among the people, common men not in the hands of the private people. There is no point in blaming each other. We keep on blaming public sector undertakings and industry. What is the use of it? What is wrong with anybody who buys an industry, if you want to sell that at a very cheap price? It is not his fault. So, I do not believe in blaming the investors who come forward to invest the money, and get profit. It is the duty and responsibility of the Government to see that the public money is not wasted, and the sentiments of people are not overlooked. Take the examples of Vishakhapatnam Steel

Plant and the Salem Steel Plant, where the sentiments of people were overlooked. Of course, the privatisation can pay more, but people of India cannot bear this. Also, take the example of the NALCO. The sentiments of the people of Orissa were overlooked. The NALCO was a profit-making company. It was making a profit of Rs. 660 crores. Now, they have modernised it. They have spent Rs. 455 crores on its modernisation. With this, they would be making a profit of Rs. 1000 crores. If a company can make a profit of Rs. 1000 crores, who will agree to sell that? Uma Bhartiji was expressing her heartburn about her Ministry. (*Time-bell*) I would take only five minutes more, Sir. The Minister of Industries objected to it. (*Interruptions*) Shri George Fernandes is here. He is born with socialistic blood. He lives in a socialistic society. He believes in socialism. He grew up with his socialistic philosophy. That is why, though he is in the NDA, he could not withstand their philosophy. He boiled up, and came out; and, since then, his grouse is going on. Therefore, even though the circumstances led him to join the NDA, he was not able to withstand his socialistic blood, and also the reality of the situation. (*Interruptions*)

उपसभाध्यक्ष (श्री रमा शंकर कौशिक) : अब कृपया समाप्त करें ।

DR. T. SUBBARAMI REDDY: 'Delayed Reforms: Shourieji warns of Soviet tragedy I want your clarification on it. The Disinvestment Minister, Shri Arun Shourie, says that the country can go the Soviet way, if its economy is not managed well, particularly its finances. We may have atomic weapons, but if we do not manage our finances well, or if you let our foreign exchange reserves slip, and turn to the International Monetary Fund, we will be squeezed into submission." I would like to know how his remarks are linked with disinvestment. You can clarify, when you reply. I am quoting from newspaper cuttings. Secondly, Shourieji lists ill-effects in India....(*Interruptions*)

उपसभाध्यक्ष (श्री रमा शंकर कौशिक): रेड्डी साहब, माननीय मंत्री जी कुछ कहना चाह रहे हैं ।

THE MINISTER OF DISINVESTMENT, MINISTER OF DEVELOPMENT OF NORTH EASTERN REGION AND MINISTER OF COMMERCE AND INDUSTRY (SHRI ARUN SHOURIE): Sir, can I mention just one small thing? Sir, I was invited by the Indian Army to deliver Cariappa Memorial Lecture. So, it was a lecture, in general, about many things. This phrase has nothing to do with disinvestment.

DR. T. SUBBARAMI REDDY: Sir, I want to go on record. You said like this. I have got clippings. So, it is my duty to bring it to your notice. Of course, you can clarify the things. He further says, "Also, what can be perceived as a highly critical exposition, and what has gone wrong..." (*Interruptions*)

उपसभाध्यक्ष (श्री रमा शंकर कौशिक): आप कृपया समाप्त करें ।

DR. T. SUBBARAMI REDDY: Sir, the Congress is a major opposition party. We should be given more time. (*Interruptions*)

उपसभाध्यक्ष (श्री रमा शंकर कौशिक): आप मेरी बात सुनिए । ...**(व्यवधान)**... आपके दल को, कांग्रेस पार्टी को एक घंटा मिला है जिसमें से 31 मिनट प्रणब मुखर्जी जी बोल चुके हैं। अभी आपकी पार्टी के चार और मैंबर बच रहे हैं । 29 मिनट मे चार मैंबर्स को ऐडजस्ट करना है। अगर आप उनका भी समय लेना चाहते हैं तो ले लीजिए ।

DR. T. SUBBARAMI REDDY: Okay, Sir, I will conclude within two minutes. I would like to clarify my hon. friend, Shri Ravishankarji. He pleads like a lawyer. He would have been a successful lawyer, had he been in that profession. (*Interruptions*)

AN HON. MEMBER: Yes, he is a lawyer.

DR. T. SUBBARAMI REDDY: He argues that in Punjab, a congress-ruled State, the Chief Minister, Captain Amrinder Singh, is going to disinvest one profit-making company. He also cited another example of Karnataka that they are also going to disinvest one profit-making company. We cannot do these type of comparisons. Disinvestment of NALCO, Vizag Steel Plant, IPCL,-BPCL, IOC or any other Gas Industry, is a totally different thing. I don't agree with the Minister when he justifies disinvestment of these companies by quoting certain other examples.

Lastly, Sir, the Budget deficit must be reduced by generating more revenue. As Mr. Pranabda said very clearly, you must get more revenue. Every year, in the Budget, there is a deficit of Rs. 20,000 crores. If we take the example of China, we will find that they have been successful in inviting Foreign Direct Investment of $ 48 billion, whereas we got a Foreign Direct Investment of $ 8 billion only. Have we succeeded? We must make an effort to invite more Foreign Direct Investment, we should generate more revenue, only then we will succeed.

In conclusion, I want to mention one thing here. I don't want to blame anybody. The fact is that almost all the industries; the textile industry, the steel industry, the cement industry, the sugar industry and the fertilizer industry, are in a bad condition. If the industries are not functioning profitably, then, definitely, the revenue would be less.

Before concluding, I would say that this Government is not following the reforms policy of the Congress Government. The Congress Government never wanted disinvestment of profit-making companies. So, you must concentrate on the practical concept, not the theoretical. And, before disinvesting a profit-making company, you must always keep in mind the sentiments of the people. The psychology of a normal citizen is, "It is my company"... *(Time-bell)*. Sir, I am concluding. We have to keep all these things in mind. I will be very grateful to the hon. Minister, while replying, if he takes all these points into consideration.

SHRI J. CHITHARANJAN (Kerala): Mr. Vice-Chairman, Sir, this matter has already been discussed in this House several times. The people of this country have been discussing this matter for several years now. Several political parties, different sections of people and organisations representing them, a good number of legislators, have continuously argued that this policy will lead our country to a disaster; and that this policy is not in the national interest. But, unfortunately, the Government is sticking to its own stand that this programme of disinvestment and strategic sale of the public sector industries will have to be conducted, and that too, at a high speed. Now, there is a difference of opinion among the Ministers themselves. There is a difference of opinion among the allies of the NDA Government also. Despite that, brushing aside the opposition and the criticism raised by other Ministers, the Government is trying to push forward with their policy of Disinvestment. Sir, Shri Ravi Shankar Prasad argued that by selling these companies, it would be very profitable. I don't know how it will be profitable. The profit-making companies are being sold at throwaway prices. Everybody knows that. The Centaur Hotel was, initially, sold for Rs. 83 crores. But within four months it was again resold for Rs. 115 crores. All this has happened. When this incident happened, the Press people met Mr. Shourie, and he said, 'it was an outright sale and that they have a right to sell it.' He has changed the position now. Recently he said, "No sale has taken place, the company which has bought it, only its shares have been transferred to somebody else.' This is how he is trying to

argue. He has quoted the Chinese policies, which were adopted by the Thirteenth Congress. Here, I would like to quote the Sixteenth Congress's Report. I will read out the relevant portion, "Stick to and improve the basic economic system and deepen the reform of the state property management system. In line with the requirements of releasing and developing the productive forces, we must uphold and improve the basic economic system, with public ownership playing a dominant role, and diverse forms of ownership developing side by side. First, it is necessary to consolidate and develop unswervingly the public sector of the economy. Expansion of the state sector and its control of the lifeline of the national economy is of crucial importance in displaying the superiority of the socialist system and reinforcing the economic strength, national defence capabilities and national cohesion." Therefore, there is no comparison with the policies being pursued by China. They emphasize that the existing public sector should be consolidated, expanded and made efficient. That is what they mean. And, the policy that you are adopting is basically different. You are interested in selling the whole thing. If things go like that, a day will come when all the companies will be sold. And, when all the companies are sold, what will be left? There will be no public sector company, and no assets will be left. Then, you are saying that all these amounts are being invested for social development. How are you investing in social development? In the education field, you are commercialising education. You are giving up Government-owned institutions. That is the policy that we are disputing. Therefore, there is no question of investing money in that. In fact, these properties are being sold to certain millionnaires, big businessmen, monopolists and foreign multinationals. Of course, you get some money, for the time being. But that money is being spent only for reducing the Budget deficit and to meet the extravagant expenditures that you are making. That is what is happening. Therefore, don't claim that it is being done for the development of the industry. As you know, the public sector was built up, of course, by investing a huge amount, but also with the sweat and blood of workers and also the technicians. That is why you have been able to get a very high price for these companies. You are saying that you are getting so much money. But it was built up by the contribution of the workers and also of the public.*(Time bell)* These public sector undertakings have strengthened the base of our economy. They have paved the way for industrial development, that is, a self-reliant economic development. They have paved the way for strengthening our defence forces. They have paved the way for developing the infrastructure. These

are all the things. If you sell out all these companies, no such advantage will be there. Take, for example, employment. Shri Ravi Shankar Prasad has quoted certain instances. He said that in BALCO, the wage rates have been revised. But he did not mention as to how many of the permanent workers, how many of the contract workers, who were working in that company at the time when it was sold, are there now. He did not mention this. Take, for example, Maruti. What is the experience? When the management was handed over to Suzuki, immediately thereafter, disciplinary action was taken against hundreds of workers, and they were thrown out. Even the union leaders were dismissed from service for the strike they had conducted before. Is it that you want to introduce in the whole country? Do you want to make the workers slaves of their employers so that they could exploit them? Sir, another argument that is being built up is, unless privatisation is effective -- and if most of the sales are done to the foreigners, foreign investors, then, it will not be possible for the Government to create a confidence among the foreign investors to come forward and invest money. Is it the policy that you are pursuing? Then, what will happen? You will sell out the whole country to the foreign multi-nationals. And, it will be very dangerous, if they come and occupy the key position in our economy. As a result of it, tomorrow, our freedom, our sovereignty, everything will be affected.

उपसभाध्यक्ष (श्री रमा शंकर कौशिक) : कृपया समाप्त करें ।

SHRI J. CHITHARANJAN: Sir, all right, I shall conclude. Another argument is, why profit-making institutions are being sold. Now, he has found out an answer for it. The answer is that those institutions which are earning a profit now, may run into losses because the sectors in which they are operating are already opened to the foreign operators, they are coming, and, our institutions cannot withstand the competition. And, therefore, tomorrow, its value will go down. Therefore, it is better to sell it now. That is one argument. But, at the same time, Sir, he forgets the fact. Take, for example, the BHEL. It is an industry in the public sector. It is competing with all the multi-nations, not only in India, but in abroad also. Of course, in India, they are being denied orders even though what they quote is less because of certain obligations of the Government to somebody else. But, internationally, they have competed in several places, and they have got orders in so many cases.

[THE VICE CHAIRMAN (SHRI SANGH PRIYA GAUTAM) in the Chair.]

Then, why do you say that our public sector undertakings cannot compete? You take, for example, the companies in the oil industry. They all can exist, they all can thrive, and they all can compete with other industries, if they are allowed to do that. Take, for example, Telcom. ...*(Time-bell)*... You have opened this sector three years ago. And, you have not allowed the BSNL to start the mobile phones.

THE VICE-CHAIRMAN (SHRI SANGH PRIYA GAUTAM): Mr. Chitharanjan, you have taken the double of your time.

SHRI J. CHITHARANJAN: Sir, I am concluding. You have given permission to several private companies, even though the BSNL existed. Now, it has also come to the field. And, now all the private sector companies that are in this field, are terribly afraid, and are saying, "No; these are all pirates." And, they are trying to force the Government to withdraw the BSNL from that. This is the position. Therefore, Sir, my request is that the Government should seriously consider the opposite views that are being expressed in this regard. The opposite views have come up not only from the Opposition, but from your own ranks. ...*(Time-bell)*... Therefore, you be prepared to review the policy that is being adopted. That is what I have to say.

SHRI LALIT SURI (Uttar Pradesh): Mr. Vice-Chairman, Sir, I am the beneficiary of disinvestment, and I am speaking from direct experience from this.

I am extremely grateful to you for having given me the opportunity to make my maiden speech as a Member of this august House. I rise to speak on the issue of disinvestment.

THE VICE-CHAIRMAN (SHRI SANGH PRIYA GAUTAM): Let me remind you that as per allotted time, you have got only one minute.

SHRI LALIT SURI: Sir, its my maiden speech.

THE VICE-CHAIRMAN (SHRI SANGH PRIYA GAUTAM): I am only reminding you. ...(*Interruptions*)...

SHRI JIBON ROY: Sir, I am on a point of order. ...(*Interruptions*)...

THE VICE-CHAIRMAN (SHRI SANGH PRIYA GAUTAM): I am sorry. One hour has been allotted to the 'Others Group', and there are ten Members. So, if one hour is divided among the ten Members, six minutes come to each Member. ...(*Interruptions*)...

SHRI JIBON ROY: Sir, I am on a point of order.

THE VICE-CHAIRMAN (SHRI SANGH PRIYA GAUTAM): What is your point of order?

SHRI JIBON ROY: Sir, I want to know whether our rule allows somebody who is beneficiary of something to speak on that subject.

SHRI ARUN SHOURIE: Sir, may I answer that? I have checked ...(*Interruptions*)...

SHRI JIBON ROY: Mr. Vice-Chairman, Sir, the hon. Member has himself said that he is the beneficiary of a transaction, and he is speaking on that subject. I want to know whether any beneficiary can speak on a subject of which he himself is a beneficiary. I want your ruling on that.

THE VICE-CHAIRMAN (SHRI SANGH PRIYA GAUTAM):: He is an hon. Member of this House. He has got every right to speak and participate in the debate. Moreover, he has been allotted time to speak.

SHRI LALIT SURI: The last 12 years have witnessed the impact of liberalisation on the Indian economy. The process of liberalisation has redefined the role of the State and its relationship with business. Under an economy which was managed predominantly by the State, there were several businesses that the State itself did. However, this trend has

changed the world over. The Government has never been the best of a business person. Bureaucrats are trained to be defensive, whereas businessmen are trained to be aggressive and competitive in the market. In areas in which the Government has had to compete with the private sector, where monopolies of the State have been dismantled, over the price mechanism is not regulated by the State, the Government has not been able to survive competition with the private sector..

I have had some personal experience in the field of tourism and hotel industry. The failure of the Government in this area, in running hotels, is in sharp contrast to the private sector, which, in India, has been able to operate hotels considered to be amongst the best in the world.

The basis philosophy behind disinvestment or privatisation is -- where should the tax-payers' money be spent? Should the tax payers' money be invested in businesses in running hotels, in manufacturing steel, aluminium and textiles, or, should it be used for the social sector to expand the base of education, health care, irrigation and other needs of the common man? The experience in these businesses has been that the Government taxes the people, invests his money in businesses, then loses this money. It then again taxes the people, draws out restructuring packages, most of which have not proved to be successful. In fact, it is the greatest injustice to a common man that his money is lost in business. In this context I quote an example of the U.K. experience where after disinvestment, merely the corporate tax realisation at the rate of 35 per cent on profits brought in more money, than the total 100 per cent profits realised before disinvestment of these State enterprises. In addition, the U.K. Treasury made tens of billions of pounds from the sale of these companies and this money helped them to reduce taxes over many years, to make U.K. one of the lowest taxed countries in Europe. This also boosted consumer spending leading to higher growth and employment across the board in the economy.

Even in our own country in the case of Modern Bread, Balco, CMC and others, there have been no job losses. On the other hand, higher production is leading to more employment directly and indirectly, higher taxes and other benefits to the economy. In fact, it is a win-win situation all the way.

3.00 p.m.

Today, on account of borrowings of the State, necessitated by huge budget deficits and capital requirements for development, large amount of interest has to be paid by the Government. The national debt is huge. Should not national resources be invested in businesses, be unlocked and used to retire the public debt? Should this money be lost in running hotels or manufacturing textiles, or should this money be used to build roads, provide irrigation, health care and education? The choice is clear. It is not the business of the Government to be in business. The Government should be in the business in those limited sectors where the presence of the Government is required, on account of some strong national compulsions. Either it should be a strategic sector, or it may be a sector where the private sector is unwilling to step in.

The proceeds of the disinvestment can also be utilised to build physical infrastructure like roads, ports, telecom, power etc., as well as in social sectors like health and education. China concentrated heavily on investments in these sectors, which have paid very large returns by way of several times higher foreign investment flows as well as higher technical skills and productivity resulting from investments in education and health. As emphasised by our Nobel Laureate in Economics, Shri Amartya Sen, higher investments in health and education also lead to a fall in population growth rate and there is a total impact of all these factors on poverty reduction.

When I look at the history of last few years, I find that there does not appear to be a basic conflict with the idea of disinvestment or privatisation. When the Congress was in power from 1991 to 1996, minority shares of public undertakings were sold by off-loading into domestic and foreign markets. When the United Front Government was in power, the same policy did continue. When the NDA Government took over, it switched over to a mechanism of privatising public sector units through strategic sales. It is for the above mentioned reasons that instead of review of the disinvestment process, as demanded by some, we should review how disinvestment can be expedited. A strong political will and a basic consensus is, no doubt, required. Germany, after the merger, privatised 11,000 enterprises in 2 years. Not only should it be expedited at the Central level but also extended to the States, where the position of PSUs is far

worse. As on 31st March, 2000, out of total of 946 PSUs, 551 were making losses, 241 are lying closed and 100 are not submitting accounts. This is the position of the States, which are even unable to pay salaries of their employees. It is obvious that the only solution is to disinvest, and release funds to retire huge loans (*Time-bell*) and pump money into physical and social infrastructure.....(*interruptions*)

THE VICE-CHAIRMAN (SHRI SANGH PRIYA GAUTAM): Shri Suriji, listen to me please. Your allotted time is over. However, because it is your maiden speech, I am allowing you few minutes more. Please, try to conclude.

SHRI LALIT SURI: I will just take four minutes, Sir. Regarding the modalities of disinvestment, strategic sale is, no doubt, preferable in the Indian context. In U.K., off loading shares into the market has been successful, but this is not suitable for India, where the stock markets lacks depth. Even in U.K., they have, in many cases, off loaded just a little over half equity to the private sector and then made huge gains by selling off the remaining shares, once the enterprise became more profitable, after privatisation. It is absolutely clear that a minority off- loading of shares, which does not give management control to the bidder, cannot get attractive prices. Nor can it serve the intended economy and social benefits, which result from the revival of the enterprise after privatisation. Regarding the valuation - the value of a share is what a buyer is ready to pay, based on the profitability from the share. The valuation of software or media companies is very high even though they have far meagre assets, as compared with the companies like NTC, which have large land assets. The process of disinvestment must be transparent and there can be nothing more transparent than bidding, which should be published after the process is over, as has been done by the Government. Lastly, there is a fear that employees' interest will suffer when disinvestment takes place. But, as I have stated earlier, the experience, not only in our case, but also the world over, shows that it is profitability which makes jobs and create more jobs. It is only profitability, which will lead to payment of taxes; it is profitability, which will lead to generation of wealth, creation of infrastructure and reinvestment and further economic activity. Mr. Vice-Chairman, Sir, let us stop eulogizing poverty; let us build a society, which can generate and diffuse wealth and add to the quality of all Indians, including the poor. Let us get out of this mindset of the old economy. We are living in a globally

competitive world and privatisation is more methodological to improve the performance of our public sector. Even the profit enterprises should be disinvested so as to generate higher production, greater employment and other economic benefits. As I said earlier, it is not the business of the Government to be in business. "जब राजा बनेगा व्यापारी तो प्रजा बनेगी भिखारी ।" Thank you.

श्री संजय निरुपम (महाराष्ट्र) : उपसभाध्यक्ष जी, सब से पहले मैं आपको उपसभाध्यक्ष बनने के लिए बधाई दूंगा ।

उपसभाध्यक्ष (श्री संघ प्रिय गौतम) : वह तो पुरानी बात हो गई ।

श्री संजय निरुपम : लेकिन मैं आपके चेयर पर बैठने के बाद पहली बार बोल रहा हूं, इसलिए आप उस बधाई को स्वीकार करें ।

उपसभाध्यक्ष (श्री संघ प्रिय गौतम): धन्यवाद ।

श्री संजय निरुपम : अगर आप टाइम ज्यादा दे दें तो सचमुच बधाई बहुत दिल से दूंगा । उपसभाध्यक्ष महोदय, सब से पहले मैं यह स्पष्ट कर दूं कि ललित सूरी जी की तरह हम भी डिसइन्वेस्टमेंट के समर्थक हैं । विनिवेश होना चाहिए, अरुण जी जरा ध्यान देंगे तो अच्छी बात है। यह विनिवेश की प्रक्रिया जारी रहनी चाहिए । पब्लिक सैक्टर मोनोपली की कोई जरूरत नहीं है । हमारा अगर विरोध है, अगर एतराज है तो विनिवेश की प्रक्रिया में, डिसइन्वेस्टमेंट के प्रोसैस मे जो अनियमितताएं, जो इररेगुलैरिटीज़ बढ़ती जा रही हैं, उसके ऊपर है । हमारा अगर एतराज है तो वेन्यूएशन की प्रोसेस पर है, हमारा अगर एतराज है तो विनिवेश प्रक्रिया से जो कमाई हो रही है, उस का उपयोग कैसे हो, उस से है, हमारा अगर एतराज है तो सिर्फ इस पर है कि प्रोफिट मेकिंग पब्लिक सेक्टर यूनिट्स को प्राइवेटाइज नहीं करना चाहिए । ये दो-तीन इश्यूज हैं ...**(व्यवधान)**... लेकिन दुर्भाग्यवश डिस-इनवेस्टमेंट में अगर कुछ गलत हुआ और हम ने अपनी आवाज उठाई तो हमें सीधे डिस-इनवेस्टमेंट की विरोधी लॉबी के पीछे डाल दिया जाता है और कहा जाता है कि these are people who belong to the anti-disinvestment lobby. We do not belong to the anti-disinvestment lobby. यह बात मैं अरुण जी को स्पष्ट कर देना चाहता हूं ।

महोदय, मैं जितने भी पब्लिक सेक्टर का डिस-इनवेस्टमेंट हुआ, सब पर बोल सकता हूं, लेकिन मेरे पास समय कम है, इसलिए मैं सिर्फ एअरपोर्ट मुंबई सैंटोर पर आना चाहता हूं । यह सब से बड़ा टेस्ट केस है । ...**(व्यवधान)**... उपसभाध्यक्ष जी, अरुण जी की ईमानदारी पर हमें कोई शक नहीं है । उन के ट्रांसपेरेंट होने का जो वचन वह देते हैं, उस पर भी पूरा भरोसा है, लेकिन कहीं-न-कहीं उस वचन के बावजूद ट्रांसपेरेंसी दिखी नहीं है । इसलिए हम उन के निर्णय के ऊपर टिप्पणी करने के लिए सरकार में होने के बावजूद खड़े हुए हैं ।

हमारा बुनियादी मुद्दा रिसेल को लेकर है । उसका जो रिसेल हुआ, वह गलत हुआ और उसके बाद अरुण जी ने कल हाउस में जिस तरह से पूरे सदन को मिसलीड किया, उस की ओर मैं इस सदन का ध्यान आकर्षित करना चाहता हूं । मैं आरोप लगा रहा हूं कि अरुण जी ने पूरे सदन को यह कहकर गुमराह किया कि ये पूरे-की-पूरी जो बत्रा होस्पीटेलिटी कंपनी है, जिसने एअरपोर्ट सेंटोर को पहले सेल के समय टेक-ओवर किया था, वह आज भी ...

SHRI ARUN SHOURIE : I am on a point of order. I shall answer this in detail, but first, I want to know -- because, I have been stopped earlier - whether proceedings of the other House are to be quoted here, or not.

THE VICE-CHAIRMAN (SHRI SANGH PRIYA GAUTAM): The proceedings of the other House cannot be quoted here...*(interruptions)*...

SHRI DIPANKAR MUKHERJEE : I am on a point of order. I am referring to the proceedings of 24.08.2001, between page 637 to 638. The same hon'ble Minister has referred to proceedings of one page in the other House. Kindly, get it. If it is not there, then, this should also be deleted from that notice. You cannot have two standards. I am referring to this. Kindly examine this -- why were the proceedings of the other House quoted by the hon'ble Minister on 24.08.01? Sir, kindly get it deleted...*(interruptions)*...

THE VICE-CHAIRMAN : As far as my knowledge goes, the proceedings of the other House cannot be quoted here...*(interruptions)*...

श्री संजय निरुपम : ठीक है, उस सदन की जो कार्यवाही थी, उस को मै कोट नहीं कर रहा हूं । मैं सिर्फ यह बताना चाहता हूं कि जो एग्रीमेंट होटल कॉर्पोरेशन ऑफ इंडिया और बत्रा हॉस्पिटिलिटी प्राइवेट लिमिटेड के बीच साइन हुआ था, उस एग्रीमेंट का एक क्लॉज है 13.4 और उस क्लॉज का नाम है, एसाइनमेंट - "neither this agreement, nor any benefits, or burden under the agreement shall be assignable by either party without prior written consent of the other party." जैसे ही होटल बिका, होटल कॉर्पोरेशन ऑफ इंडिया ने बत्रा होस्पीटेलिटी को चिट्ठी लिखी जिसकी कॉपी मेरे पास है । उन्होंने पूछा साहब, आपने कैसे बेच दिया? उन्होंने कहा, हमने नही बेचा है, सिर्फ उस के ...**(व्यवधान)**...

THE VICE-CHAIRMAN (SHRI SANGH PRIYA GAUTAM): You are quoting from a document. Would you authenticate the document?

SHRI SANJAY NIRUPAM : Of course, I am authenticating that document. तो एग्रीमेंट का डायरेक्ट वायलेशन है । महोदय, एच0सी0आई0 ने बाकायदा बेचा

और उसके बाद डिस-इनवेस्टमेंट मिनिस्ट्री की तरफ से भी एक चिट्ठी भेजी गयी । वह भी मेरे पास है और अगर अनुमति दें तो वह चिट्ठी भी पढ़कर सुना सकता हूं ।

उपसभाध्यक्ष (श्री संघ प्रिय गौतम): नहीं ।

श्री संजय निरुपम : उस एग्रीमेंट के क्लाज का अगर वायलेशन हुआ तो इसका मतलब यह है कि दूसरी पार्टी ने एग्रीमेंट के ऊपर जो साइन किया, उसको नहीं माना । उस एग्रीमेंट को स्क्रेप किया जाना चाहिए । 11 अक्तूबर को सहारा ने टेकओवर किया सेण्टोर होटल को, लेकिन आज तक उस एग्रीमेंट को कैन्सिल क्यों नहीं किया गया, पूरे बेसिक सेल एग्रीमेंट को? यह मेरा पहला सवाल है । दूसरा, मंत्री महोदय ने कहा ...**(व्यवधान)**...

श्री रमा शंकर कौशिक: सर, जो मंत्री जी का बयान है, वह तो सब जगह रखा जा सकता है ।

श्री संजय निरूपम: सर, इन्होंने एक लीगल ओपिनियन लिया ।

"The legal identity of BHPL (Batra Hospitality Private Limited has not changed with the change in their holding pattern and ownership rights, title increase and obligation of the entire business of Centaur Hotel to Western Centaur Hotel, Mumbai."

सर, अब आगे का कार्यक्रम बताता हूँ ।

उपसभाध्यक्ष (श्री संघ प्रिय गौतम) : आप अपनी बात जल्दी कह दीजिए ।

श्री संजय निरूपम : सर, जल्दी नहीं कहूंगा, आज मैं जल्दी नहीं कहूंगा । कृपा करके मुझे थोड़ा सा समय दिया जाए । मैं यह आरोप लगा रहा हूँ कि डिसइन्वेस्टमेंट के नाम पर मुम्बई एअरपोर्ट सेण्टोर में घोटाला हुआ है । मैं यह आरोप लगा रहा हूँ और यह आरोप मैं आज नहीं लगा रहा, मैंने इस बारे में 23 अक्तूबर को ही प्रधान मंत्री जी को एक चिट्ठी लिखी थी।

THE VICE-CHAIRMAN (SHRI SANGH PRIYA GAUTAM): Mr. Sanjay Nirupam, please listen to me for a moment.

श्री संजय निरूपम : उपसभापति जी, अगर इस तरह बार बार आप टोका-टाकी करेंगे तो आप मेरा समय बर्बाद करेंगे ।

उपसभाध्यक्ष (श्री संघ प्रिय गौतम): नहीं, टोका-टाकी नहीं कर रहा । आप इरेगुलरीज बताइए । Don't waste your time.

श्री संजय निरूपम: सर, मैं वही बता रहा हूँ । इन्होंने कहा कि बत्रा होस्पीटेलिटी ने सिर्फ 100 परसेंट शेयर बेचे हैं, कंपनी वही है । मैं यह आपको एक लेटर हैड दिखाता हूँ, इसके ऊपर क्या लिखा है ? इस पर लिखा है -

"Sahara Hospitality Private Limited (formerly known as Batra Hospitality Private Limited)."

That means Batra Hospitality is no more the owner of Mumbai Airport Centaur.

सर, इसलिए मैंने कहा कि मंत्री महोदय ने कल भी हाऊस में, दूसरे सदन में जाकर मिसलीड किया है पूरे सदन को । आज मुम्बई एअरपोर्ट सेण्टोर का मालिक बत्रा होस्पीटेलिटी नहीं है । यह जो इनका बयान है कि अभी तक कोई चेन्ज नहीं हुआ, अनचेन्ज है, वह ऐसा नही है । तो जो मेरा सबसे पहला निवेदन है वह यह कि री-सेल को कैन्सिल होना चाहिए । री-सेल को कैन्सिल करने के लिए मैंने प्रधान मंत्री जी को चिट्ठी लिखी, जिसको एक महीने से ज्यादा हो गया लेकिन मुझे जवाब नहीं मिला । इधर मंत्री महोदय के दफ्तर मे मुम्बई से आए पत्रकार चिट्ठी का जवाब पढते हैं और मुझे बताते हैं कि चिट्ठी का जवाब हो गया है । मैंने मंत्री महोदय को बताया तो उन्होंने कहा-I believe in transparency!" मैंने कहा कि यह ट्रांसपेरेन्सी है आपकी कि जिसने चिट्ठी लिखी है, उसको जवाब नहीं मिल रहा ? ...**(व्यवधान)**...

SHRI DIPANKAR MUKHERJEE: Sir, it is a very serious charge. ...*(Interruptions)*...

उपसभाध्यक्ष (श्री संघ प्रिय गौतम) : प्लीज, बैठ जाइए । बैठ जाइए ।

SHRI JIBON ROY: Sir, it is a very serious allegation. I want to know whether the Government will hold a CBI inquiry. ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI SANGH PRIYA GAUTAM): Please sit down. ...*(Interruptions)*... Please sit down. ...*(Interruptions)*... Please sit down.

SHRI JIBON ROY: Sir, it is a very serious allegation. I want to know whether the Government will hold a CBI inquiry. ...*(Interruptions)*...

SHRI RAVI SHANKAR PRASAD: What is this, Sir? अभी मंत्री जी ने उत्तर नहीं दिया है । ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI SANGH PRIYA GAUTAM): Please sit down. ...*(Interruptions)*... Please sit down. Please sit down. ...*(Interruptions)*...

SHRI JIBON ROY: Sir, he is misleading the House. ...(*Interruptions*)...

SHRI N.K. PREMACHANDRAN (Kerala): Sir, how could it be allowed? ...(*Interruptions*)...

उपसभाध्यक्ष (श्री संघ प्रिय गौतम): पहले आप बैठिए ।

SHRI JIBON ROY: Mr. Vice-Chairman, Sir, my point is that it is a serious allegation. ...(*Interruptions*)...

THE VICE-CHAIRMAN (SHRI SANGH PRIYA GAUTAM): Please sit down.

SHRI JIBON ROY: Will the Government hold a CBI inquiry? ...(*Interruptions*)...

THE VICE-CHAIRMAN (SHRI SANGH PRIYA GAUTAM): Please sit down. Yes, Mr. Sanjay Nirupam. ...(*Interruptions*)... Please sit down.

SHRI JIBON ROY: Sir, it is a serious allegation. It is an allegation of corruption.

THE VICE-CHAIRMAN (SHRI SANGH PRIYA GAUTAM): Mr. Jibon Roy, please sit down. I am not allowing all this. ...(*Interruptions*)... I am not allowing all this. ...(*Interruptions*)... I am not allowing you to speak. ...(*Interruptions*)... Please sit down. When your name is called, you can reply to that. ...(*Interruptions*)... Please sit down. Mr. Sanjay Nirupam.

श्री संजय निरूपम: उपसभाध्यक्ष महोदय, अब री-सेल की बात है, सेण्टोर होटल बत्रा हॉस्पीटेलिटी ने 83 करोड़ रुपए में खरीदा और तीन चार महीने के अंदर उसने 122 करोड़ रुपए में बेच दिया । यह 122 करोड़ तो व्हाइट पेमेण्ट है, ब्लैक पैमेण्ट कितना हुआ, मुझे नहीं मालूम । यह एक अलग इकॉनमी चलती है हमारे देश में । मेरी यह जानकारी है कि टोटल पेमेंट 135 करोड़ की हुई है, 83 करोड़ से 135 करोड़ । 35 करोड़ इधर और 17 करोड़ उधर, लगभग 40 करोड़ से ऊपर एक कम्पनी ने तीन महीने के अंदर एक होटल के व्यापार पर कमाया। यही से सवाल उठा कि एक कम्पनी ने तीन महीने मे **...(व्यवधान)...**

THE VICE-CHAIRMAN (SHRI SANGH PRIYA GAUTAM): He is competent enough. You have taken 15 minutes.

श्री संजय निरुपम : एक कम्पनी आखिर तीन महीने के अंदर इतना बड़ा मुनाफा कैसे कमा गई ? इसलिए मैंने थोड़ा इन्वेस्टिगेट करने की कोशिश की । मैंने इन्वेस्टिगेशन का काम अरुण जी से ही सीखा है । बचपन से इनको पढ़ता आ रहा हूं, मैंने इनको बहुत पढ़ा है, इनकी इन्वेस्टिगेशन की रिपोर्ट्स को पढ़ा है । अब यह और बात है कि जो पर्सनल लैवल की बातचीत होती है, मैं उसे कभी पब्लिक नही करता, लेकिन अरुण जी को आदत है कि जो पर्सनल लैवल की बातचीत होती है, ये उसको पब्लिक करते रहते हैं । मुझे इसको पब्लिक नहीं करना है, मुझे सिर्फ इतना बताना है कि मैं जब थोड़ा इन्वेस्टिगेट करने गया तो मैंने पाया ...**(व्यवधान)**...

THE VICE-CHAIRMAN (SHRI SANGH PRIYA GAUTAM): Please sit down. You have taken 15 minutes, instead of 5 minutes. ... (*Interruptions*)...

श्री संजय निरुपम : मुझे कम्पलीट कर लेने दीजिए । ...**(व्यवधान)**... मैं बुनियादी प्रश्न की तह में गया कि क्या इसकी वेल्युएशन मे कुछ कमी थी ? इसकी वेल्युएशन कैसे हुई? सन् 2000 के आसपास तय हुआ कि इसका विनिवेश करना है । तो जब पहली बिडिंग हुई, उस समय इसका रिज़र्व प्राइस तय हुआ था लगभग 70 से 75 करोड़ के बीच में, ऐग्ज़ेक्ट फिगर मैं नही बोल सकता क्योंकि कभी भी इसे डिसक्लोज़ नही किया जाता, लेकिन यह मेरी जानकारी है। पहली बिडिंग के समय एक ही व्यक्ति आया, बाकी सबने अपनी अरनेस्ट मनी फोरफीट करवा ली और उसने 63 या 65 करोड़ के आसपास बिडिंग दी । ...**(व्यवधान)**...

उपसभाध्यक्ष (श्री संघ पिय गौतम) : कृपया सूक्ष्म मे कह दें । ...**(व्यवधान)**...

SHRI JIBON ROY: No, Sir. He is raising serious allegations. He should be allowed to speak. ...(*Interruptions*)...

श्री संजय निरुपम : उपसभाध्यक्ष महोदय का कहना है कि जल्दी से बोल दीजिए, इसलिए मैं जल्दी-जल्दी बोलने की कोशिश करता हूं । तो पहली बिडिंग केंसिल हो गई क्योंकि पहली बिडिंग मे जो कोटेशन आया था, वह रिज़र्व प्राइस से कम था । यह इन्होंने बहुत अच्छा काम किया, इसके लिए मैं इन्हें बधाई देना चाहता हूं । लेकिन जब दूसरी बिडिंग हुई, यहां से घोटाला शुरू होता है । दूसरी बिडिंग से पहले अचानक केबिनेट कमेटी ऑन डिसइन्वेस्टमेंट एक फाइनेंशियल टर्म चेज करती है । फाइनेंशियल टर्म क्या थी, यह मैं बताना चाहता हूं क्योंकि बड़ी मुश्किल से मैंने ...**(व्यवधान)**...

THE VICE-CHAIRMAN (SHRI SANGH PRIYA GAUTAM): Please sit down. ... (*Interruptions*)...

SHRI JIBON ROY: It has never happened. He should be allowed to speak. No, Sir. ...(*Interruptions*)... We want to hear in detail what is going on. ... (*Interruptions*)...

THE VICE-CHAIRMAN (SHRI SANGH PRIYA GAUTAM): Please sit down. ..... (*Interruptions*). Please conclude now. ...(*Interruptions*)

डा. अबरार अहमद : इसका खुलासा होना चाहिए । ...**(व्यवधान)**...

THE VICE-CHAIRMAN (SHRI SANGH PRIYA GAUTAM): Please conclude now. ...(*Interruptions*)...

श्री संजय निरुपम : मैं चाहूंगा कि यह जो टेक्निकल बातें हैं वे इस सदन के माध्यम से पूरे देश के सामने आनी चाहिए । जो पहला मेजर फाइनेंशियल टर्म था, वह था कि टर्न ओवर लेवी को 6 परसैंट से घटाकर 2 परसैंट कर दिया गया । टर्न ओवर मे क्या है कि जितने भी एयरपोर्ट के होटल्स हैं, जुहू, सेन्टूर को छोड़कर, सारे के सारे एयरपोर्ट अथॉरिटी की लैंड पर हैं । चूंकि एयरपोर्ट अथॉरिटी की लेंड पर हैं इसलिए पूरे टर्न ओवर पर 6 परसैंट लेवी एयरपोर्ट अथारिटी एच.सी.आई. से लेती थी । तो जब यह डिसइन्वेस्टमेंट का काम शुरू हुआ और पहली बिडिंग जब फेल हो गई तो दूसरी बिडिंग के समय ...**(व्यवधान)**...

THE VICE-CHAIRMAN (SHRI SANGH PRIYA GAUTAM): Please conlude now. You have already taken more than 15 minutes. ...(*Interruptions*)...

SHRI JIBON ROY: We want to hear him. .... (*Interruptions*)...

श्री संजय निरुपम: तो पहला प्रश्न यह है कि टर्न ओवर लेवी 6 परसैंट से 2 परसैंट करने का निर्णय क्यों लिया गया? दूसरी बात यह है कि टर्न ओवर लेवी को जब 6 परसैंट से 2 परसैंट किया गया तो उसे सार्वजनिक रूप से अखबारों में क्यों जाहिर नहीं किया गया और फ्रेश टेंडर्स क्यों इन्वाइट नहीं किए गए ? अभी मंत्री महोदय ने कहा कि यह सिविल ऐविएशन मिनिस्ट्री की जिम्मेदारी थी, मैं सिविल ऐविशन की चिट्ठी दिखाना चाहता हूं जिसमें यह बताया गया है कि आपने जो डिसीजन लिया है, वह गलत लिया है लेकिन फिर भी अगर आप इसको कैटीन्यू करना चाहते हैं तो आप इसके फ्रेश टेंडर इन्वाइट करिए । यह एयर इंडिया के बोर्ड का डिसीजन है ।...**(व्यवधान)**...

THE VICE-CHAIRMAN (SHRI SANGH PRIYA GAUTAM): I am not allowing. Please sit down. ...(*Interruptions*).

Please sit down. (*Interruptions*)... Please sit down. (*Interruptions*)... No, no. (*Interruptions*)... Please sit down. Mr. Sanjay Nirupam, you have to conclude now. ...(*Interruptions*)...

श्री संजय निरुपम : ऐसा मत कहिए, मेरा आपसे निवेदन है कि यह इतना गंभीर विषय है, थोड़ासा लचीलापन लाइए ...**(व्यवधान)**...

THE VICE-CHAIRMAN (SHRI SANGH PRIYA GAUTAM): You have to conclude. (*Interruptions*)... No, please sit down. (*Interruptions*)... Please sit down. (*Interruptions*)... I am not allowing you to make it a political platform. (*Interruptions*)... Mr. Sanjay Nirupam, I am giving you one minute. (*Interruptions*)...**बोलिए ...(व्यवधान)...**

SHRI MANOJ BHATTACHARYA (West Bengal) : No, no. We want him to give the full facts. (*Interruptions*)...

SHRI N.K. PREMACHANDRAN: Sir, serious allegations were made. (*Interruptions*)...

THE VICE-CHAIRMAN (SHRI SANGH PRIYA GAUTAM): Please sit down. (*Interruptions*)... Please sit down. (*Interruptions*)...

SHRI JIBON ROY: They are making money in the name of disinvestment. (*Interruptions*)... We would like to know the facts. (*Interruptions*)...

THE VICE-CHAIRMAN (SHRI SANGH PRIYA GAUTAM): I will not allow you to make it a political platform. (*Interruptions*)... Please sit down. (*Interruptions*)... Mr. Sanjay Nirupam, I will give you one minute. (*Interruptions*)... Please sit down. (*Interruptions*)...

SHRI SANJAY NIRUPAM: He has already given me time. (*Interruptions*)... What else do you want? (*Interruptions*)...

THE VICE-CHAIRMAN (SHRI SANGH PRIYA GAUTAM): Please sit down. (*Interruptions*)... Mr. Sanjay Nirupam, you have already taken 15 minutes. (*Interruptions*)...बोलिए ।

श्री संजय निरुपम : उपसभाध्यक्ष महोदय, 26 दिसंबर, 2001 को कैबिनेट कमेटी ऑन डिसइन्वैस्टमेंट ने डिसीजन लिया और एक जनवरी को सेन्टोर होटल के ग्लोबल ऐडवाइज़र, श्री जे.पी. मॉर्गन, बत्रा हॉस्पिटेलिटी को चिट्ठी लिखते हैं कि हमने 6 परसेंट से 2 परसेंट कर दिया है, Are you interested right now? Are you still interested? इस चिट्ठी की कॉपी

मेरे पास पड़ी है । मेरे दोस्त ने जवाब देखा उस चिट्ठी का और उसने बताया कि यह चिट्ठी और 3-4 लोगो को भेजी गई, जाकर संजय निरुपम को बता दो । मैंने कहा कि यह चिट्ठी भेजने की बात नही है, चिट्ठी भेजने से कुछ नहीं होगा । इतने बड़े तौर पर फाइनेंशियल टर्म्स में परिवर्तन हुआ, इसका सार्वजनिक रूप से खुलासा होना चाहिए था और एक बार अगर सार्वजनिक रूप से जाहिर करते तो नयी पार्टियां आतीं, जिनकी EMR forfeit हो चुकी थी, वे शायद नयी दरों के हिसाब से अपनी रुचि दिखाती लेकिन ऐसा नहीं किया गया ।

[THE DEPUTY CHAIRMAN in the Chair]

इसलिए मैं आरोप लगा रहा हूं कि बाकी जो इंट्रस्टेड पार्टियां थीं, उनको कैंसिल करके, debar करके बत्रा हॉस्पिटेलिटी को जान-बूझकर यह होटल दिया गया । बत्रा हॉस्पिटेलिटी, यह ऐग्रीमेंट साइन करने से 2 महीने पहले ही तैयार हुआ था, SPV जिसको बोलते हैं यानी Special Purpose Vehicle (*Interruptions*)...

उपसभापति : लगता है कि आप काफी समय से बोल रहे हैं । I am giving you 5 minutes to finish your speech.

SHRI H.K. JAWARE GOWDA (Karnataka): Madam, I am giving up my time in favour of him.

THE DEPUTY CHAIRMAN: There is nothing like giving your time in favour of him. Does the entire House say that only Mr. Sanjay Nirupam will stand on the floor and speak? No. It is not that. I am not allowing that. (*Interruptions*).... Who is saying bolo, bolo? Am I in the Chair or are you in the Chair? Let him finish his speech.

श्री संजय निरुपम : उपसभापति महोदया, सिविल ऐविएशन मिनिस्ट्री की तरफ से डिसइन्वैस्टमेंट मिनिस्ट्री के पास एक चिट्ठी जाती है और उस चिट्ठी में लिखा जाता है कि -

> "A considered view in this regard may be taken by the Government to avoid any confusion and legal complication at a later stage".

महोदया, यह चिट्ठी 11 जनवरी के आसपास गई और एक जनवरी को ग्लोबल ऐडवाइजर की चिट्ठी चली गई श्री ए.एल. बत्रा के पास । इनकी जो कंडीशन थी, उसमे पहली कंडीशन यह थी कि एक्सपीरियेंस्ड होटलियर ही होटल ले सकते हैं और श्री ए.एल. बत्रा तो होटलियर ही नहीं हैं । जो रैडीसन होटल चलाते हैं, उस कंपनी में उनका सिर्फ 6 परसेंट स्टेक है और 6 परसेंट स्टेक लेकर कोई भी व्यक्ति होटलियर नहीं हो सकता ।

प्रो. राम बक्ष सिंह वर्मा (उत्तर प्रदेश): आप सीधे-सीधे बता दीजिए । You have already consumed your time and you are creating suspense. आप डॉयरेक्टली क्यों नहीं बता देते हैं ?

THE DEPUTY CHAIRMAN: He is a Member of this House.

श्री संजय निरूपम: कल को मैं किसी स्टील कम्पनी के अंदर 6 परसेंट स्टेक लूं तो मैं स्टील कम्पनी का मेन्युफैक्चरर नहीं हो सकता। लेकिन ए.एल. बत्रा होटलियर हो गए। दूसरी बात यह है कि उस कम्पनी की नेटवर्थ 25 करोड़ होने की...**(व्यवधान)**...

उपसभापति : अब आपका समय खत्म हो गया है, आप बैठ जाइए।

श्री संजय निरूपम: मैडम्, ऐसा मत करो। मैडम, यह तो अन्यायपूर्ण बात होगी।...**(व्यवधान)**... एक महत्वपूर्ण विषय रख रहा हूं।

उपसभापति : आपके तो सारे ही विषय महत्वपूर्ण होते हैं। लेकिन यहां सवाल यह है कि हम लोगों ने लंच ऑवर भी नहीं किया था। उनको जाना है, उन्हें जवाब भी देना है। We have to conclude the discussion today because we have no extra time.

श्री संजय निरुपम : अभी बहुत टाइम है, चार घंटे रखे गए हैं।

THE DEPUTY CHAIRMAN : No, we do not have much time. Four hours were given. I see you only had five minutes and I think you have gone much beyond five minutes. Even if I allow you for two minutes from another Member's time, still, you do not have time. Please conclude. This is not a story-telling job. You just come to the point, whatever you want to say and finish it off.

SHRI SANJAY NIRUPAM : मुझे 5 से 10 मिनट और दिए जाएं।

THE DEPUTY CHAIRMAN : No, I am sorry, I do not have any time..

श्री संजय निरुपम : मेरा बुनियादी प्रश्न है।

उपसभापति : बुनियादी प्रश्न आप जल्दी कर लीजिए।

श्री संजय निरुपम : हां, बुनियादी प्रश्न जल्दी खत्म करता हूं। आपने एक शर्त रखी थी कि उसी कम्पनी का 25 करोड़ नेटवर्थ होना चाहिए। आपने फाइनेंशियल एक्सप्रेस में न्यूज दी है। उस न्यूज के हिसाब से जो 83 करोड़ की बिल्डिंग थी, जो कीमत थी उसमें से 75 करोड़ रुपया ऑरियंटल बैंक ऑफ कॉमर्स ने दिया है। इसका मतलब सिर्फ 8 या 9 करोड़ रुपया इस कम्पनी की तरफ से दिया गया है। यह 25 करोड़ का नेटवर्थ नहीं हो सकता। मतलब, दूसरे बैंक से पैसा लेकर के एक होटल लिया गया, बाद में वह होटल किसी तीसरे को बेचा गया।

होटल का पैसा लौटा करके 8-9 करोड़ रुपए से 35-40 करोड़ रुपए की कमाई करके निकल गया और सरकार यहां बैठी हुई है और जबकि यह ट्रांसपिरेंसी की बात कर रहे हैं। कोई एक्शन नहीं लिया जा रहा है। फिर उस पूरे के पूरे टैंडर की जो गाईड-लाईंस थी उसमें कहा गया था कि no airline companies will be allowed. आज अंततः एयरपोर्ट मुम्बई का जो संतूर होटल है यह एयरलाइंस चलाने वाली कम्पनी के पास है। सहारा एयरलाइंस खुद एयर लाइंस चलाने वाली कम्पनी है। मुझे पूरी तरह से याद है, जिसको आप ई.ओ.आई. कहते हैं - एक्सप्रेशन ऑफ इंटरेस्ट, जिन 37 कम्पनियों ने पहली बार एक्सप्रेशन ऑफ इंटरेस्ट दिखाया था, उसमें जेट एयरवेज ने भी अपना एक्सप्रेशन दिया था, सहारा ने भी दिया था किसी दूसरी फॉरेन कम्पनी के साथ जोइंट वेंचर के तौर पर। आपने दोनों कम्पनियों को रिजेक्ट कर दिया। जेट एयरवेज जैसी कम्पनियां जिनको इंटरेस्ट है कि एयरपोर्ट के आसपास अपने होटल होने चाहिए, वह 150 करोड़ रुपए देने को तैयार थे। आपने कहा कि एयरलाइंस कम्पनियों को हम एलाउ नही करेगे। बाद मे फाइनली एयर लाइंस कम्पनियो के पास चली जाती हैं। मैडम्, आपसे मेरे कहने का मतलब यह है कि इस पूरे के पूरे प्रकरण की सी.बी.आई. के जरिए जांच होनी चाहिए। मैं फिर बतला रहा हूं कि मंत्री महोदय के ऊपर पूरा विश्वास है। लेकिन डिस-इंवेस्टमेंट मिनिस्ट्री और सिविल एविएशन मिनिस्ट्री के दो आफिसर्स जो इंचार्ज थे पूरी डील में, कह सकते हैं डेलिब्रेशन में या पूरे डिस-इंवेस्टमेंट के प्रोसेस में, उन दोनों आफिसर्स के नाम यहां बतला दूंगा तो तकलीफ हो जाएगी। उन दोनों आफिसर्स की सिर्फ प्रोपर्टी की जांच कर लीजिए जिससे पता चलेगा कि जिस समय यह होटल बिका था उस समय उनके पास किस तरह का ट्रांजेक्शन आया था। विपिन मलिक करके एक चार्टर्ड एकाउंटेंट कम्पनी है।...**(व्यवधान)**...

उपसभापति : प्रेमचन्द्रन जी, आप अपनी जगह पर जाइए।

श्री संजय निरुपम : मैडम्, अभी मैंने खत्म नहीं किया है।

उपसभापति : संजय जी, आपने खत्म कर लिया है। It is for me to decide whether your time is over or not ...(*Interruptions*).... Mr. Premachandran, please...(*Interruptions*)... You can not ask him.

श्री संजय निरुपम : मैडम्, दो-तीन मिनट और चाहिए। मैडम, आपको मैं बतलाना चाहता हूं, पूरे सदन को आपके माध्यम से बतलाना चाहता हूं कि मुम्बई एयरपोर्ट सेटर के 700 कर्मचारियों के सामने वी.आर.एस. की तलवार लटक रही है। सहारा वालो ने उनको बुलाया कि अगर वी.आर.एस. नहीं लेंगे तो पटना, लखनऊ या कलकत्ता भेज देगे। सारे के सारे लगभग 95 परसेंट एम्प्लोइज ने वी.आर.एस. की तैयारी दिखादी। यह अन्याय हो रहा है। बाल्को के डिस-इंवेस्टमेंट के समय हमने यही कहा था कि एम्प्लोइज की सिक्योरिटी के बारे में आपका क्या ख्याल है। यह कर्मचारियों की सुरक्षा कैसे होगी? कर्मचारियों की सुरक्षा नही हो रही है...**(व्यवधान)**... मैडम्, बार-बार घंटी बजाकर के एक अच्छे खासे विषय को बरबाद करने का कार्यक्रम चल रहा है।

THE DEPUTY CHAIRMAN : Please do not make allegations against the Chair. You do not know that I have given you and the previous speaker enough time. I have to finish.

श्री संजय निरुपम : इस तरह बार-बार टोका-टाकी करके समय देने का कोई अर्थ नहीं है।

उपसभापति : आपका टाइम है ही नहीं। आप नेक्स्ट टाइम पार्टी की तरफ से 50 लोग लेकर आइएगा मैं आपको 50 मिनट दूंगी। ...**(व्यवधान)**... I don't want to argue.

श्री संजय निरुपम : तब तक तो पूरा देश बेच डालेंगे।...**(व्यवधान)**...

मैं इतने महत्वपूर्ण विषय पर बोलने के लिए खड़ा हुआ हूं। इतना बड़ा डिस-इन्वेस्टमेंट स्कैम सामने है, उस स्कैम को..।

THE DEPUTY CHAIRMAN: I do not want to argue with you.

श्री संजय निरुपम : मैं आर्ग्यु नहीं कर रहा हूं।

THE DEPUTY CHAIRMAN: We have to finish the business.

श्री संजय निरुपम : मैं जानता हूं कि मेरी बात पूरी नहीं हो पाती। मंत्री महोदय अपने ढंग से मीठे-मीठे शब्दों में मेरी सारी बातों को काटने की कोशिश करेंगे और तब अगर मैं उठकर बोलना चाहूंगा तो आप मुझे अलाउ नहीं करेंगी। इसलिए मुझे एक-एक बात लोजिकली, आर्ग्युमेंट अपना यहां पर रखने की परमीशन मिलनी चाहिए।

THE DEPUTY CHAIRMAN: The Chair does not want to argue with the Member. It is not done here. I follow the rules. You have gone beyond your time. You had only five minutes and you have taken more than 30 minutes. You are encroaching upon the time of other Members. You should not do this. It is not done in this House. Please wind up. Whether you speak for five minutes or for 100 minutes, if you have a point to make, you make it and then sit down.

श्री संजय निरुपम : बार-बार टोका-टाकी करने से पूरा विषय ही छूट जाता है। मैडम, मैं सिर्फ आपसे यह निवेदन करते हुए अपनी बात खत्म कर रहा हूं और मेरे पास उपाय नहीं है, बात तो खत्म करनी ही पड़ेगी। मेरा सिर्फ आरोप यह है कि मुम्बई एयरपोर्ट संतूर होटल की जो बिक्री हुई, जो सेल हुई, रि-सेल की बात तो मैं बता चुका हूं, सेल के समय एक बहुत ही सोची-समझी साजिश के तहत एक कम्पनी को फेवर किया गया, बाकी जो इंटरेस्टिड पार्टियां थीं, उनको उस टेंडर में आने ही नहीं दिया गया। अगर सारी की सारी पार्टियां आतीं तो सरकार को ज्यादा धन मिलता, सरकार को ज्यादा कमाई होती। मैं भी चाहता हूं कि सरकार लोस मेकिंग कम्पनीज को बेचे, उनसे ज्यादा से ज्यादा अर्न करे और उस पैसे को अच्छे काम में लगाये। आज उसे सहारा ने रि-सेल में इल्लीगली खरीद लिया है और उससे बत्रा हास्पीटेलिटी ने 40-45 करोड़ रुपये की कमाई की है। इसलिए मैं सरकार से निवेदन करूंगा कि उस पैसे को सरकार बत्रा हास्पीटेलिटी से अपने हाथ में ले और अपने खजाने में डाले, तब कहीं हमें यह महसूस होगा कि डिस-इन्वेस्टमेंट के जरिए जो गलती हुई है, उसको दुरुस्त किया गया है। इसमें सीबीआई की इन्क्वायरी के बगैर कुछ नहीं हो सकता है। इसलिए मैं बार-बार आपसे निवेदन करूंगा कि

आप सरकार को निर्देश दें कि वह मुम्बई एयरपोर्ट संतूर होटल की सेल, रि-सेल प्रकरण की सीबीआई से इन्क्वायरी करवाये जिससे कि दूध का दूध और पानी का पानी हो जाए। धन्यवाद।

THE DEPUTY CHAIRMAN: Before Shri N.K. Premachandran starts, I would like to say one thing. I have looked at the time. Each Member from the 'Others Group would get five minutes. Please try to prioritise your deliberation and questions.

SHRI N. K. PREMACHANDRAN: Madam, most of the Members belonging to the Others Group may not be speaking.

THE DEPUTY CHAIRMAN: I do not know. I have got the names before me. I have to go by the names. Do you have an assurance from Shri Jethmalani that he is not going to speak? (*Interruptions*).

PROF R.B.S. VARMA: Madam, he has given his time to Shri Sanjay Nirupam. (*Interruptions*).

THE DEPUTY CHAIRMAN: Shri Javare Gowda is not going to speak because he has already given his time to Shri Sanjay Nirupam.

DR. M.N. DAS (Orissa): Madam, can you go through the list of names?

THE DEPUTY CHAIRMAN: There are many names. I do not want to waste the time of the House because even if you see the list it would not make much of a difference. You can ask the Secretariat. They will give you the names.

SHRI N. K. PREMACHANDRAN: Madam, at the outset, I would like to support the demand made by Shri Sanjay Nirupam in regard to the Centaur Hotel issue. It is a strange experience for me that a Member whose party is supporting the Government and which is part of the Government, is making serious allegations of corruption against a Ministry. I also support his demand that a CBI inquiry should be held in this matter. That is my first point

Madam, we had discussed the disinvestment policy in the last Session also. The hon. Minister, Shri Ravi Shankar Prasad, while intervening

in the debate, tried to distort the views expressed by the hon. Members since morning. He was talking of a consensus. So far as my party is concerned, we have a separate philosophy. The BJP is having a separate philosophy. The Congress Party is having a separate philosophy. So far as the Left parties are concerned, we are totally against the disinvestment policy. The Minister is talking of a consensus here. Cutting across party lines, we all are opposing the policy of disinvestment. The Congress is vehemently opposing the selling off of profit-making public sector undertakings. The Shiv Sena Party is opposing. Some other party is also opposing. What is the national consensus? How is the Government going to disinvest the public sector undertakings? These public sector undertakings, which are giving enormous wealth to the country and assets to the nation are going to be sold out at a cheaper price which has been created, built up by the Government and common people of this country. Who is benefited by this disinvestment policy? As a consequence of disinvestment policy, the poor people, the working class of the society or the common people are being benefited. No, Madam, it is not the poor people, the common masses, or tax-payers, being benefited. The real beneficiaries are the multi-national companies, the corporate houses, the rich people of this country are being benefited by the policy of disinvestment, and not the poor people and working class of this country. That is why, we are opposing the disinvestment policy. Even though we are opposing it, no consensus has come. Rather, a different opinion has been created in this House. Almost all the parties are opposing the outright selling of these companies, these profit-making public sector undertakings. What is the specific answer of the hon. Minister, Mr. Arun Shourie? Mr. Minister, do you have a national consensus to sell the national assets of this country? If you are having a consensus, national consensus, what is the opinion of your Ministers in the Cabinet? What is the opinion just expressed by Mr. Sanjay Nirupam? The four Cabinet Ministers also expressed their opinion in the Press. I am not going to elaborate this point, because of the time constraint. Even Mr. George Fernandes, the Defence Minister of the country, expressed his opinion, which has been published in the Press also. I would like to quote what he has said, "In the transfer of VSNL and IPCL, we have created monopolies with TATA and Reliance." These are examples of rich becoming richer with the people's money. That is taking place in this country; and the State monopolies will become private monopolies. Is it good for the Indian consumer? That is the big question now remains before the common masses and the people of this country.

Many times, Mr. Ram Naik, Petroleum Minister also expressed his opinion against disinvestment of profit-making PSUs. So, Madam, there is no consensus among the Cabinet's Ministers, as far a this disinvestment of the profit-making public sector enterprises is conerned. Then, on what moral ground, under what mandate, this Ministry of Disinvestment is disinvesting or privatising, or outright selling the profit-making public sector undertakings? For this, I want a specific answer. Regarding the Centaur Hotel, issue we have already discussed it. Madam, within a short period of time, it has been sold. What about the sale proceeds? It has come out in the Press, I need not mention about it. The same thing is going to happen in respect of ITDC Hotels in Kovalam and other places. Madam, I know personally the worth of this hotel, a prime location hotel is being sold just for Rs.40 crores. The land value has not been assessed properly. And, so also the hotel at Mahabalipuram, the richest place and an important tourist location in this country. So many other hotels in this country are being sold. Madam, what will happen to the Chairman and Managing Director of the ITDC? It is reported in today's newspaper that Chairman and Managing Director of the ITDC has tried to revive the ITDC hotels. The Ministry has also appreciated the performance of the Chairman and Managing Director of the ITDC. What has happened is that the PMO has intervened. Madam, in almost all the cases, not the Prime Minister directly, as pointed out by Dipankarji, it is the Prime Minister's Office that is intervening, in almost all the cases and Modern Foods Industries case and the VSNL case. VSNL transferred its 30% shares to the TATA's and TATA's are also divesting the shares taken by it. Madam, all these things are going on. It is a clear and planned corruption that is going on in this country. The money is being accumulated. As Pandit Jawaharlal Nehru said, "The public sector undertakings are the temples of the nation."; and these temples are being sold out at cheaper prices to the rich people. Rich are becoming richer at the expense of the poor people of this country. So, I would like to urge upon the Government; since there is a wide difference of opinion regarding selling of the profit-making public sector undertakings, they must review their position. And, when I say that they must review their position, it does not mean that we had a consensus regarding conditional disinvestment; there was no consensus on disinvestment as such. So, if consensus can be reached, then, definitely, we will support it. At least the profit-making public sector undertakings should remain with the State sector.

With these words, I conclude.

THE DEPUTY CHAIRMAN: Shri Murli Deora. Now that so many Members have spoken on this subject, I would request you to please abide by the time so that we can hear the reply. There is no point in having a discussion when we don't get the reply from the Government. So, keep that in mind.

SHRI MURLI DEORA: Madam, the hon. Minister, Shri Ravi Shankar Prasad, has appealed to the Opposition and other parties that we must build up a consensus to the good on the issue of disinvestment. And, Madam, just before you came, we all witnessed what consensus they have in their own groups and in their own parties...

SHRI SANGH PRIYA GAUTAM (Uttranchal): He spoke as a Member of this House, not as Minister.

SHRI MURLI DEORA: That is okay. He is still a Minister.

I have never seen a Member of the ruling group making such wild allegations, and I am very sorry that people, like Mr. Shourie, are still quiet and not replying to the charges levelled against them...

THE DEPUTY CHAIRMAN: He will, when I allow him to.

SHRI MURLI DEORA: I just want to tell Mr. Shourie, what he has said is nothing; he, probably, does not know what his masters in Mumbai have said. I am in no mood to narrate what Mr. Uddhav Thackarey and others have said on the Centaur Hotel deal. I am sure, Mr. Shourie, you will go into the newspaper cuttings. You have yourself been a good writer and you are still writing. You have time to write 10-15 articles in the Indian Express ridiculing the PSUs; on ITDC, you say, there is a loot; on NALCO, your own Minister has said, -- you ask your Junior Minister -- that this company will make loss. They lack a clear strategy of marketing or salesmanship. Normally, when you are selling something, you praise your product; you show the better side of the product; you don't say that this product is bad. आज नहीं बिकेगा तो कल दुकान बंद हो जाएगी । आज नहीं बिका तो कल मार्केट और घट जाएगा । यह आप बेच रहे हैं या खरीद रहे हैं ? आपको ज़रा मार्केटिंग का कुछ नया ज्ञान लेने की ज़रूरत है, यह मैं आपसे अपील करना चाहता हूं ।

We got freedom in 1947 and the biggest issue before the people and the Government at that time was rapid economic development of our country. Right from sewing machine to needles, we were importing them. We were importing every product in our country. Thanks to the vision of Pt.

Jawaharlal Nehru, we could create the Bhakra Nangal, Rourkela and Bokaro steel Plants. I remember, we were even importing cement. We were producing less than 19-20 million tonnes of cement, we even imported cement. And that is why cement corporations of India were created. An amount of Rs.29 crores invested in PSUs in 1951 went up to Rs.2,74,114 crore in 242 companies by March, 2001. And, I would say, even though I had been a great critic of PSUs many a time, but they have served the nation. At a time when the private sector had not developed, when there were no Tatas or Birlas, who were ready to come to invest in the power sector, or, to put up even a 1 million tonne capacity of cement plant, thanks to our industrial policy, thanks to the vision of the Government which was ruling at that time, that is, the Congress I, the country progressed, and today there is hardly any product which India is not making; leave alone making it, in fact, there is hardly any product which India is not exporting. Here, I would remind them, especially, Shri Prasad, of one PSU, namely, the Cement Corporation of India. The market price was Rs.61 a bag and their control price was Rs.18 a bag. That was the amount of profit they were making. And, today, the same company, the Cement Corporation of India, is closed down because the new companies of Private Sectors and other big industrialists have came into existence. The Cement Corporation of India, a PSU, could not compete with them, could not deliver in time, could not manufacture the quality, and the result is that the Cement Corporation of India, the IDPL and several other companies were closed. So, this is right time and the Government is right on this when it has agreed to sell a part of the shares or strategic sale of equities to private sector, sector or to their own mutual funds like, UTI, GIC, LIC, IDBI etc. I am really surprised that a man, who has written so much of valuable articles, like Mr. Arun Shourie has failed to create a consensus among his own people. Every Minister is criticising ..*(Interruptions)*. Shri Ram Naik was here just now. Unfortunately, he has left the House. You have created a controversy in the PSUs, belonging to the Oil Sector. In February, 2002, the Cabinet Committee on Disinvestment decided to privatise BPCL and HPCL. There was no opposition; a unanimous decision was taken. Shri George Fernandes, Shri Murli Manohar Joshi and Shri Ram Naik, all supported the decision. In August, 2002, the Petroleum Minister opposed the same decision. I do not know why. On 7th September, 2002 the same CCD put aside the earlier decision. I do not understand what this is. Where is the consensus among your own Ministers, among your own Government? First you sell this very product to your own Government, your own colleagues,

then talk to the other people. I am sorry, if I disagree with some of my friends from the Left here. I do not know why only the PSUs who are losing money should be sold. Why should anybody buy them? If somebody is making profit today, it is not necessary that they will make profit tomorrow again. The other mistake, the hon. Minister or his department is making is the timing. You have to see what is the right time to sell product. When my hon. friend talked about the Centaur Hotel and ITDC PSUs. Now, when the entire world is suffering from the fear of terrorism, tourism has gone to the lowest. And you are selling your hotels! जब मार्किट सबसे खराब होगी तब आप अपना प्रोडेक्ट बेचने जाते हैं, शौरी साहब। मार्किट अच्छी होगी , मैंने उस दिन आपसे कहा था, When tourism picks up again then you talk about your hotel. You are evaluating PSUs on the basis of profitability. Today no hotel will make profit and the very fact that these people are making wild allegations and are saying that within a short period of two months or three months or four months, the company which purchased, has sold by earning over 60 per cent or 65 per cent profit of the same hotels. I would request you, please have your own policies clear. Please, have a consensus among your own people. Then ask for our support (*Interruptions*)

THE DEPUTY CHAIRMAN: Mr. Murli Deora is holding on to the mike. There is a short circuit over there.

SHRI MURLI DEORA : For those who have come from the lower House the atmosphere is different (*Interruptions*). One example is the opening up of the Insurance Sector. Like Maruti, if it was not sold earlier, it could have fetched more than three times the price today. Because there was a virtual monopoly and you see what is happening in the Insurance Sector. Now, we have opened up the Insurance Sector for the Private parties. The companies like, LIC & GIC are having a near monopoly of 95 per cent in the insurance business.. We must try to sell a product when we can get better price. Sell a product when the market prices are higher. Another point, where the hon. Minister must create an awareness is about the proceeds. What are we going to do with the proceeds coming out of Rs.12,000 crores? You will never achieve that. That may be a target. But as rightly asked by my friend, Shri Pranab Mukherjee, what are we going to do with whatever proceeds the Government gets from the sale of these PSUs? Here, I support our young Minister, Shri Prasad, who said -- and even my Leftist friends will agree - if the money received from

disinvestment is going to be used for the social sector, it will create a better environment, better atmosphere.

Lastly, I would only say that this concept of NDA has failed. This concept has failed miserably. There is no consensus anywhere. The Minister has got no guts. You are in charge of the Mines Ministry, but you have no guts to go to Orissa and talk about disinvestment there, because you know that you will be beaten up by the people there. What will happen to Mr. Arun Shourie when he comes to Mumbai? You know very well what the Shiv Sena fellows will do with you. So, the very concept of NDA has failed, and it is time that this Government gave up this whole facade of NDA.

उपसभापति : राजीव शुक्ल जी, पांच मिनट में बोल दीजिए, आप तो बहुत अच्छे राइटर हैं ।

श्री राजीव शुक्ल (उत्तर प्रदेश) : मैडम, मैं संक्षेप में बोलूंगा । उपसभापति जी, मैं डिसइन्वेस्टमेंट का बहुत बड़ा सपोर्टर हूं । डिसइन्वेस्टमेंट को लेकर आज जो स्थिति पैदा हुई है उससे खुश भी हूं और दुखी भी हूं । खुशी की बात यह है कि 240 मे से 36 कंपनियों का, पी.एस.यूज. का डिसइन्वेस्टमेंट हो चुका है । दो-चार को लेकर विवाद हो सकते हैं लेकिन बाय एंड लार्ज बाकियों को लेकर आलोचना नहीं हो रही है । लेकिन कई ऐसी कंपनियां भी हैं जिनके डिसइन्वेस्टमेंट को लेकर तारीफ भी हो रही है । चाहे वह मॉडर्न बेकरी हो, आई.पी.सी.एल. हो, बालको पर कुछ लोग डिसएग्री करेंगे लेकिन मेरा अपना मानना है कि बाल्को का जो अभी डिसइन्वेस्टमेंट हुआ है, वह ठीक हुआ है । वहां के मुख्य मंत्री इस डिसइन्वेस्टमेंट से सबसे ज्यादा खुश हैं । वहां के प्रबंधको ने मुझे बताया कि बाल्को अच्छी तरह से चले इसके लिए वहां के मुख्यमंत्री सबसे ज्यादा सहयोग दे रहे हैं । वही मुख्यमंत्री, जो सबसे ज्यादा विरोध कर रहे थे, अगर आज सहयोग दे रहे हैं तो निश्चित रूप से वे इस बात से सहमत होंगे कि जो कुछ भी हुआ ठीक हुआ । मुझे याद है कि डा. माननीय मनमोहन सिंह जी जब वित्त मंत्री थे तो उनका एक भाषण हुआ था जिसमें उन्होंने कहा था कि जो लोस मेकिंग पी.एस.यूज. हैं उन्हें चलाने के लिए सरकार को 14000 (चौदह हजार) करोड़ रुपये खर्च करने पड़ रहे हैं । अगर घर मे बैठकर ही लोगो को तनख्वाह दे दी जाएं तो चार हजार करोड़ रुपये मे ही काम चल जाएगा । आठ हजार करोड़ टैक्स पेयर की, आम जनता की आमदनी इस तरह से जा रही है । इसलिए डिसइन्वेस्टमेंट का जो कांसेप्ट है, मैं उसको सपोर्ट करता हूं । चाहे फिस्कल डेफिसिट का मामला हो, आज देश मे ग्यारह परसेंट का वित्तीय घाटा है, अगर इसे पूरा करना है तो हमे कहीं न कही से धन जुटाना पड़ेगा । जैसाकि मुरली देवरा जी ने कहा कि डिसइन्वेस्टमेंट से जो पैसा आ रहा है अगर उसे तनख्वाहे बांटने में खर्च कर देंगे, उसे उसी तरह से बर्बाद कर देंगे तो कुछ काम होने वाला नही है । सोशल सैक्टर में इस पैसे को लगाना चाहिए या इस की जो मूल अवधारणा थी कि इस पैसे को इन्फ्रास्ट्रक्चर में लगाना चाहिए, तो मेरे ख्याल से सरकार को आज इस बात की घोषणा करनी चाहिए कि यह पैसा कहां जाएगा । पी.चिदम्बरम् जी का सुझाव था कि डैब्ट सर्विस मे इसे लगाना चाहिए । एक लाख करोड़ रुपये का तो हर साल हम सिर्फ इंट्रस्ट देते हैं । अगर हम इस डैब्ट को कम करने की कोशिश करेंगे तो शायद हमारा बजट घाटा कम

4.00 p.m.

हो सकता है । लेकिन सरकार इस मामले में बिल्कुल स्पष्ट नही है कि इस पैसे का क्या करना है ? पैसा ऐसे ही जा रहा है । पैसा इस तरह से बर्बाद होगा तो सरकार की सारी संपत्तियां बिक जाएंगी लेकिन कुछ बचेगा नही ।

दु:ख की बात जो मैंने कही तो मुझे लगता है कि जिन पी.एस.यूज. का डिसइन्वेस्टमेंट हुआ है, उसमें कहीं न कहीं वेल्यूएशन के प्रोसेस में गड़बड़ी थी । इसकी वजह से कुछ पी.एस.यूज., कुछ संस्थान मिट्टी के भाव, कौड़ियों के भाव चले गए । मुझे लगता है कि सरकार को निश्चित रूप से इस ओर ध्यान देना चाहिए । मैं एक छोटा-सा उदाहरण देता हूं, नाम नहीं लूंगा । एक पी.एस.यू. को मद्रास मे हमारी जान-पहचान के एक मित्र ने खरीदा । उनकी माली हालत बहुत खराब थी । मैंने पूछा कि जब इस हालत मे नही थे तो क्यों खरीद लिया ? उन्होने कहा कि पचपन करोड़ रुपये में मिल गई । दो सौ करोड़ रुपये के सरकारी ऑर्डर इसमे पड़े हैं और पांच सौ करोड़ रुपये की जमीन मुफ्त मिल गई । शिकायत इसी जगह है कि जो लैंड का वैल्युएशन है वह नहीं किया गया। चाहे होटलों का मसला हो - जो प्राइस होटलों की फिक्स की गयी, यह लोअर प्राइस है। लोएस्ट प्राइस इसके ऊपर आप लगा सकते हैं। इसमें मुझे लगता है कि उन्होंने रूम की आकूपैंसी को आधार बनाया या आज की तारीख में क्या बिजिनेस होटल का चल रहा है, क्या रिटर्न्स आ रहे हैं, उसके आधार पर यह वैल्युएशन किया। मुझे लगता है कि यह तरीका गलत था। लैंड वैल्युएशन तो लेनी चाहिए थी। डेढ़-डेढ़, दो-दो करोड़ में ये होटल बिक गए। एक-दो करोड़ में तो आज केवल फर्नीचर, बर्तन, कारपेट यही होटलों में हो जाते हैं। 6-6, 7-7 एकड़ की जो लैंड है अगर उसकी आप वैल्यू लगाएं तो मेरे ख्याल से वह बहुत ज्यादा होती है। इसलिए जो मिनिमम प्राइस फिक्स किया गया, उसमें कहीं न कही गड़बड़ हुई है। मुझे लगता है कि इस तरफ सरकार को ध्यान देने की जबर्दस्त जरूरत है।

मैडम ने कहा है कि सिर्फ पांच मिनट में खत्म करना है और मेरे पांच मिनट पूरे हो गए हैं। इसलिए सरकार से मेरा आग्रह है कि इस तरह की जो शिकायतें हैं, जहां वैल्युएशन प्रोसेस गड़बड़ हुआ है, संजय जी ने जैसे वहां का एक मसला उठाया तो वहां मुझे लगता है कि कहीं न कही दुबारा ध्यान देने की जरूरत है। अगर कहीं गड़बड़ है तो उनको कैंसिल करके दुबारा उनका बिडिंग प्रोसेस हो और जितने भी आगे बिड्स उसके इन्वाइट हों वे इंटरनेट पर नही होने चाहिए। अखबारों में छपना चाहिए ताकि लोगों को पता चले कि फलां होटल बिक रहा है, फलां कंपनी बिक रही है ताकि उसका अधिक से अधिक मूल्य आ सके।

उपसभापति : बराबर आक्शन करना चाहिए। यही आपका मतलब है। श्री राजीव रंजन सिंह 'ललन'।

श्री राजीव रंजन सिंह 'ललन' (बिहार): महोदया, 1991 से विनिवेश की प्रकिया चल रही है और इस राष्ट्रीय जनतांत्रिक गठबंधन की सरकार ने भी पिछले चार वर्षों से डिसइन्वेस्टमेंट के प्रोसेस को कैरी आन किया है। लेकिन कुछ महीनों से जो कुछ तथ्य और जो कुछ समाचार विनिवेश के बारे में आए हैं और आ रहे हैं और यहां आज सदन में जो कुछ संजय

निरुपम जी ने रखा, उन सारे तथ्यो को देखते हुए हमारा और हमारी पार्टी का भी यह मत है कि जो विनिवेश की प्रक्रिया है उसको जारी रखने के लिए आज समीक्षा की आवश्यकता है। समीक्षा ही नहीं उसकी व्यापक समीक्षा की आवश्यकता है। इस डिसइन्वेस्टमेंट के प्रोसेस को, 7विनिवेश की प्रक्रिया को जारी रखा जाए क्योंकि एचपीसील के मामले में, बीपीसीएल के मामले में, मालको और नालको के बारे मे - ये सारे जो उपक्रम हैं, उनके बारे में जो कुछ भी तथ्य आ रहे हैं उसके बाद यह सवाल आज देश के सामने है कि इसकी समीक्षा होनी चाहिए या नही। मैं यह समझता हूं कि आज इसकी समीक्षा आवश्यक है। हमारा विनिवेश से कोई विरोध नहीं है। हमारा विरोध है उसकी प्रक्रिया से कि किन उपक्रमों को बेचा जाए, किनको न बेचा जाए। आज सारे मुनाफे वाले उपक्रमो को बेचा जा रहा है और घाटे वाले जितने उपक्रम हैं उनको सरकार अपने मत्थे, अपने गले मे ढोल बांधकर रखे हुए हैं। इसलिए आज इसकी आवश्यकता है।

महोदया, सेंटूर होटल के बारे में संजय निरुपम जी ने बहुत ही विस्तार से इस बारे में चर्चा की, इसलिए सेंटूर होटल के संबंध में हम कोई बात कहकर समय नही बरबाद करना चाहते हैं। हम सिर्फ भालको के बारे में चर्चा करना चाहते हैं। इस सदन में, पूरे देश में भालको के सवाल पर विवाद हुआ। सरकार ने उसको जस्टीफाई किया। हम सब लोग सरकार के साथ खड़े थे। लेकिन आज सीएजी की रिपोर्ट में जो कुछ भी भालको के बारे मे चर्चा हुई, इस चर्चा और उसकी रिपोर्ट में जो तथ्य आए हैं क्या वे तथ्य आज पारदर्शिता पर प्रश्नचिन्ह खड़ा नहीं करते हैं। आज सीएजी ने ...**(व्यवधान)**... जो अखबारों मे आया है सीएजी ने भालको के बारे मे उसके टाइम के बारे मे जो कुछ कहा ...**(व्यवधान)**... इसलिए यह सवाल है।

इसके अतिरिक्त महोदया, बीपीसीएल और एचपीसीएल के सवाल पर मैं कुछ कहना चाहता हूं। आज बीपीसीएल और एचपीसीएल के सवाल पर काफी विवाद सरकार के अंदर भी है। यह सारा देश जानता है कि मंत्रि परिषद के अंदर भी विवाद है। क्यों एचपीसीएल और बीपीसीएल की बिडिंग से इंडियन आयल कारपोरेशन और ओएनजीसी को अलग कर दिया गया? किसलिए अलग कर दिया गया है, इसलिए कि पेट्रोलियम सैक्टर में आईओसी और ओएनजीसी की मोनोपली हो जाएगी, आधिपत्य हो जाएगा । यह किसके लिए रास्ता खोला जा रहा है, एक खास कार्पोरेट सैक्टर के लिए, जिसको कि विनिवेश की पूरी प्रक्रिया से ब्लैक लिस्ट होना चाहिए था । उसके ऊपर आफीशियल सीक्रेट एक्ट में मुकदमा है, चॉर्जशीट है । लेकिन आज सारे लोगों को खत्म करके, आज बीपीसीएल और एचपीसीएल के साथ देश की सुरक्षा के सवाल जुड़े हैं । मैंने कई अखबारो मे मंत्री जी का बयान पढ़ा है । कहा गया है कि देश की रक्षा से पेट्रोलियम सैक्टर का कोई मतलब नही है । एचपीसीएल और बीपीसीएल देश की रक्षा से कही नही जुडे हुए हैं । आज पूरे बॉर्डर पर पेट्रोलियम के जो टैंक्स हैं और जो हमारी सेना खड़ी है, वहां पेट्रोलियम और डीजल लेकर प्राइवेट और विदेशी मल्टी नेशनल जायेंगे और हमारे देश की सुरक्षा को उससे कोई खतरा नहीं है । मैडम, आज इस बात की आवश्यकता है कि पूरी विनिवेश नीति की समीक्षा की जाए ।

मैडम, नॉलको पर भी काफी विवाद हो रहा है । आज नॉलको पर हम एक तथ्य रखना चाहते हैं । इसी सदन मे तारांकित प्रश्न संख्या 32 पर दिनांक 20.11.02 को सरकार ने उत्तर दिया । सरकार ने कहा है कि 1987 मे 1289 करोड़ रुपये के पूंजी निवेश से नॉलको को

खड़ा किया गया और 1991 से जब विनिवेश की प्रक्रिया का प्रारंभ हुआ तो 1999 में 50 परसेंट शेयर सरकार का नॉलको में रहा और 31 मार्च, 2002 तक नॉलको से 740 करोड़ रुपये टोटल डिविडेंड सरकार को प्राप्त हुआ और अब 1389 करोड़ की टोटल पूंजी थी । 50 प्रतिशत शेयर अगर 1999 तक रहा तो कुल 640 करोड़ रुपये का पूंजी निवेश सरकार का था और 740 करोड़ रुपये उससे डिविडेंड प्राप्त हुआ तथा उसी कंपनी को डिसइन्वेस्ट किया जा रहा है । साथ ही, उसके पक्ष में तर्क दिया जा रहा है, मंत्री जी का बयान आ रहा है कि अगर नॉलको का डिसइन्वेस्टमेंट नहीं किया जाएगा तो कल यह स्टील अथारिटी ऑफ़ इंडिया (सेल) बन जाएगा । हमको लगता है कि यह तो ज्योतिष की बात है कि अगर आज हम इसको डिसइन्वेस्ट नहीं कर देंगे तो कल यह स्टील अथारिटी ऑफ़ इंडिया लि0 बन जाएगा । यह तो ज्योतिष वाली बात हुई। इसलिए महोदया, मेरा यह कहना है कि आज विनिवेश की इस पूरी प्रक्रिया पर पुनर्विचार की जरूरत है कि किन पब्लिक सैक्टर अंडरटेकिंग्ज़ को हम डिसइन्वेस्ट करें और किन सैक्टर्ज़ को हम अलग करें। यह विनिवेश समिति की रिपोर्ट है, जहां तक मुझे जानकारी है और मैं चाहूंगा कि माननीय मंत्री महोदय इस बारे मे बताएं । विनिवेश कमेटी की जो रेकमेंडेशन है उसमे कहा गया है कि इस विनिवेश की पूरी प्रक्रिया से कोर सैक्टर को अलग रखा जाए और जो पेट्रोलियम पदार्थ हैं वे कोर सैक्टर के अंदर आते हैं । इसलिए आज आवश्यकता इस बात की है कि इसकी समीक्षा की जाए और यह तय किया जाए कि इसकी कीमतों का मूल्यांकन कैसे होगा । किन सैक्टर्ज़ को हम डिसइन्वेस्ट करेंगे और किनको नहीं करेंगे । हम घाटे वाले पब्लिक सैक्टर्ज़ को डिसइन्वेस्ट करेंगे या मुनाफे वाले पब्लिक सैक्टर्ज़ को डिसइन्वेस्ट करेंगे । इसके अतिरिक्त इस पूरे प्रोसैस में कितनी ट्रांसपेरेंसी हम ला सकते हैं इसकी आज समीक्षा करने की जरूरत है ।

अंत में, मैं सरकार से सिर्फ एक अनुरोध करूंगा कि विनिवेश के मार्ग पर इतनी अंधी दौड़ नही लगाई जाए कि इस पूरी प्रक्रिया से देश का सारा सिस्टम ही कोलैप्स हो जाए । इसलिए मेरा अनुरोध है कि विवेकपूर्ण तरीके से इसकी पूरी समीक्षा करके इस पर कोई निर्णय लिया जाए और तब तक इस पूरे प्रोसैस को स्थगित रखा जाए ।

DR. VIJAYA MALLYA (Karnataka): Hon. Madam Deputy Chairman, I thank you for this opportunity to speak. All my hon. colleagues have spoken with varying degrees of passion on the policy of disinvestment and, of course, the conduct of certain transaction relating to assets that have been divested. I am going to focus on disinvestment itself as a policy and share with this august House my views. I am acutely aware of the time constraint and I shall be as brief as I can. In my maiden speech, Madam, I raised the question of accountability in governance. Anything that the Government does should be as accountable to the elected representatives of the people, to the nominees of the State and to the electorate themselves. I know that the Directive Principle of our Constitution say that we are a democratic, socialist republic. But does that mean that we are supposed to own manufacturing assets? The Government should concentrate on areas where the private sector will not be interested. The

private sector, typically the world over, is interested in commerce. In a country like ours, where we have such a problem of lack of education, lack of adequate health facilities, poverty, I think, such sectors at affordable rates should be taken up by the Government and the business of running industries or manufacturing products should clearly be reserved for the private sector. In any case all the assets that we talk about, whether it is the Centaur Hotel or whether it is the IPCL, belong to all the taxpayers of this country. These assets must be put to work with a clear focus on return on investment. Merely saying that a particular public sector undertaking is profitable is not a convincing argument because profitability does not necessarily mean maximum efficiency. If we say that we are efficient, then we must be competitive. We happen to have some sort of a phobia here in dealing with Government's intentions towards such public sector undertakings. The way to look at it would be to calculate the net return on investment to the Government. If the financial returns to the Government by privatisation, at whatever price, reflecting the prevailing circumstances produces a better return on investment as compared to the dividends that these companies pay, then they must be privatised. There has to be a focused economic approach rather than a political approach to the entire process of divestment. I would say that the Government should also reexamine the price earning ratios of the public sector undertakings. My information that blue-chip public sector undertakings which were profitable, had a PE ratio between four and six times. Now these have actually risen after the divestment policy between 11 and 85 times. This has increased the value of Government investment in the public sector units. If these have to be cashed out to provide a better return to the Government, then that is the correct policy to follow. We also have a phobia on monopolies and I do not understand why. There are some companies that have huge market shares. But equally like in the United States, you have the Anti-Trust laws. So, we can always protect the consumers' interests through regulation where exploitation is not possible. But just because a company is gigantic in size, should not mean necessarily that we look differently at that company. It should, on the contrary, be appreciated that a company has achieved a world class size and economics of scale. Similarly, we have a phobia regarding the entry of multinationals. We seem to think that the sovereignty of India is threatened if large multinationals come and invest in our country. What is wrong if we today have several opportunities for IT professionals in the United States and why should we be worried about large companies coming into India either in the infrastructure

or petroleum or oil sector or for that matter in any business? We should welcome them and encourage competition because competition means that the consumers will benefit. And, there is no reason why the consumer should not benefit. There are too many rent seekers or, people, with vested interests, not only in the private sector but, we also know in the public sector as well, and these are the people who have their own vested interests to protect against privatisation or who make it a point to misrepresent the facts so that the privatisation policy can be criticised. It is fine to have a political debate and to protect political positions. But the reality of the situation is, that privatisation helps. In my State of Karnataka, we have invested Rs. 22,000 crores in public sector undertakings. One such example is Mangalore Chemicals and Fertilizers Limited which was given to my group. Suffice it to say that we have implemented a Rs. 470-crore rehabilitation package and it is now a profit-making company. It is out of the BIFR. The Government of Karnataka could not run it. The MCF was on the verge of bankruptcy. And, today, we supply 85 per cent of the fertilizer needs of Karnataka State. This is one example of where a private company can, actually, turn around what the public sector management had virtually run into the ground.

Madam, the labour issue, arising out of privatisation, is not such a big issue. We have, in business, launched several Voluntary Retirement Schemes, which are designed to benefit those who accept them. And, typically, if a private sector company takes over a public sector company -- once again, I refer to MCF -- yes; we offered a VRS. But, the remnant workmen, actually, were given a much better compensation package. So, to try to compare public sector efficiency versus private sector efficiency is one thing. But to make huge capital out of it and say that divestment should not be pursued is something that is terribly retrograde. I may be referred to as a capitalist. But, nevertheless, I am an industrialist and I fully support privatisation and encourage the Government to use the proceeds of privatisation for tangible social benefits such as education and health care and there is really no need for the Government to be in the business of running industry. Thank you.

SHRI B.J. PANDA (Orissa): Thank you Madam Deputy Chairman. Perhaps, my hon. friends from Bengal will now be ready to hear a different point of view from another industrialist. When my party and I start urging caution and restraint on the disinvestment process, I believe, it merits

hearing because of our credentials. Late Shri Biju Patnaik, in 1990, as the Chief Minister of Orissa, even before liberalisation and disinvestment process started in the country, in fact, got the process started by divesting some State sector PSUs. I have always been a votary of disinvestment, of even privatisation, which is a distinction that another hon. Member made a little bit earlier on. I believe that the Government should focus on governance and not on commerce or business. But, Madam, the time has come where certain events have caused us to re-look at the situation. I would like to emphasise that my party and I remain committed as votaries of disinvestment but with caveats. The objectives of disinvestment can be broken up into two main areas - qualitative objectives and quantitative objectives.

At the beginning of the qualitative objectives are the fundamental principles, which I just talked about that the Government must focus on governance, which is where we have failed our country, largely, over the last fifty-five years. We have largely failed our country when it comes to primary and secondary education, when it comes to health, when it comes to infrastructure development for the country, when it comes to eliminating poverty. However, we have taken great steps in the direction of eliminating poverty, but we have yet eradicated it totally. This is what on which the Government must focus on. The Government must not focus on commerce. The Government should get out of commerce. The other qualitative objective is that we must do it with consensus. We must be participative, as the hon. Minister himself has mentioned several times in this House. We must create the perception, not only the reality, but also the perception of transparency. Finally, qualitatively, we must build stakeholders so that we carry everybody with us.

When it comes to the quantitative objective, it is, Madam, just one, that is, we must maximise the returns. My fear is that for this sole objective of maximising the returns from the sale of PSUs, we have often compromised these fundamental qualitative objectives. That equation must be turned around. These are the dangers. There have been allegations of impropriety. My friend, Shri Sanjay Nirupam, has gone on at length. I would like to take a different point, here. When it comes to such allegations, I would like to reiterate, like he did, that with the hon. Minister in-charge, we can have no better person to handle the disinvestment process in this country. But, nevertheless, there have been some

allegations. Now, what cannot be denied -- many of these allegations can be denied and will be denied -- is that there has, at least, been arbitrage in the case of sale of Centaur Hotel in Bombay. It is an instance of, at least, arbitrage, where potential investors had got into the game, not for running the hotel, but for making quick profits. Now, arbitrage, in many areas, is perfectly acceptable. In the stock market, it should be acceptable. But, in the disinvestment process, there is no room for arbitrage. And, particularly, if there is a whiff of impropriety, then that leads to something more than arbitrage. That leads to the allegation of crony capitalism. Mr. Minister, I urge you, as a supporter, as a friend, if this tag of crony capitalism comes to be attached to the disinvestment process, then, any short-term game, in the disinvestment, that we make now is going to be completely ruined in the long run by just not having the country behind us. I would not take much time, Madam. You have put limits. But, I would like to talk about the NALCO, which is relevant to me because that is in my State. Many arguments have been made about the NALCO. I would like to cite some of them. It has been cited as non-strategic. Many hon. Members have said that. But that ought not to be the case. It is a profitable company. Many Members say that profitable companies ought not to be privatised. I am not going to dwell on these issues. I am going to dwell on the issue of consensus, on the issue of whether there is participation, and whether there are stakeholders. Now, this brings us to the issue of whether we should be pursuing strategic sales or not. As I said earlier, Madam, by pursuing strategic sales, the Ministry has been maximising the returns from the sale of PSUs. But, as I said before, that is not the fundamental objective. The fundamental objective has to be, even if we get a lesser return, if we have more stakeholders in the process, which we, perhaps, can have if we have a public sale, then, it is not the issue of just privatising or disinvesting one PSU, but the entire process of disinvestment will get a much more positive fillip.

Madam, there are just one or two minor issues. I would just like to complete this. Concerns were raised about building of monopolies in the private sector. My friend, Dr. Mallya, has just pointed out that we ought not to be worried about companies becoming very large. The answer is, perhaps, sometimes we are putting the cart before the horse. There is a proposal for Competition Commission. Our competition laws, in this country, are outdated, and the Competition Commission needs to be put into place first because, for example, one of the solutions that a

Competition Commission sometimes employs is, to break up large companies. Now, it would be ironic if we create large private monopolies and then we pass a law which institutes a Competition Commission, which then sets about breaking them up. This is putting a cart before the horse. We need to put a few laws into place first, before pushing through privatisation of companies like NALCO. With this, Madam, I would urge the hon. Minister to reconsider it. I am not saying, 'don't disinvest NALCO; I am saying reprioritise. Thank you, Madam.

THE DEPUTY CHAIRMAN: Now, Dr. M.N. Das. We are left with very limited time, so, I think you will abide by the time-limit.

DR. M.N. DAS: Madam, Deputy Chairman, I am thankful to you for giving me this opportunity. I will abide by the time-limit. Shri Pranab Mukherjee, a senior and an esteemed Member of this House has already given the details of how the present Government has deviated itself from the original principles and concepts of liberalisation enunciated by Dr. Manmohan Singhji, during the Congress regime. Now, they have diluted some of the concepts. I wanted to go into the historical background of disinvestment; of how without using that the East India Company and its clout, exploited India and destroyed all our indigenous industries. But there is no time, so, I will confine myself to the specific issue concerning my State of Orissa. There is a threat of privatisation of one public sector undertaking, that is, the NALCO. This undertaking is earning huge profits, its exports are very high, and it is earning a lot of foreign exchange for our country. Sir, on Monday, in reply to a question raised by my comrade, Shri Jibon Roy, the hon. Minister admitted that NALCO is one of the best plants in the whole world, and that it has the potential for higher profitability. These are his recorded words. In the same breath, the hon. Minister gave an indication that it may be privatised. Can the hon. Minister give us a guarantee that a privatised NALCO would perform better than the present NALCO? Madam, he is not here now, otherwise, I would have reminded him of one phrase.

THE DEPUTY CHAIRMAN: I hope somebody must be taking note of it.

DR. M.N. DAS: There is a biblical phrase that "A known Devil is better than an unknown angel." So, a privatised NALCO may not turn out to

be an angel. So, a known devil is not a devil, it is better than an unknown angel.

Madam, I would like to say a few words about NALCO. Madam, we have rich deposits of some rare minerals at some undeveloped places in this country. And it is a gift for this country. And these have been bestowed not because of any human effort or nation's effort. They have been given to us by the nature. In 1975, rich deposits of bauxite were discovered at a very backward, underdeveloped region of Koraput, which is a part of the so called KBK region. These mines drew the attention of the Government, and that of the scientists from all over the world. These mines were discovered in 1975, but, I wish, they were found during the regime of Pandit Jawahar Lal Nehru.

He would have taken the immediate decision of making the best use of that new mineral. Madam, it took more than four years to prepare the feasibility report, about how far it is practicable, and what will be its cost, etc. After all these reports were prepared, it was calculated that the Government of India will be required to invest Rs.2408 crores. Since we required foreign expertise, foreign machines, a collaboration agreement was signed with France. Then, France gave us a loan of Rs.1119 crores. With that capital only, that is, Rs.2408 crores from the Government of India and Rs.1119 crores from France, a company was formed, that is, NALCO. And, immediately after the Company was formed, in March, 1981, late Shrimati Indira Gandhi laid the foundation of NALCO. Thereafter, process of development started at a rapid pace. And, so much so, that NALCO had to expand its complex to five other places for port facilities, for working out bauxite mines, for alumina refinery, for captive power plant and for smelter plant. After all these things were ready, the process of production started. Aluminium and alumina were exported to several countries of the world. And, when some profit was shown, late Shri Rajiv Gandhi dedicated this plant to the nation. In the year, 1989, when late Shri Rajiv Gandhi dedicated NALCO to the nation, the profit was only Rs.18 crores. But within ten or eleven years, that is, in the year 2000-2001, NALCO showed a profit of Rs.653 crores. This year, that is, 2001-2002, though the year is not yet complete, but the profit has been shown as Rs.600 crores. And, from its own resources, NALCO has paid off all the loans. Now, it is a debt-free company. And, not only that, from its own resources, NALCO is going to invest Rs.3,700 crores for further development. It has been recognised as

the best and the largest alumina company. Hon. Minister, only the day before yesterday, you yourself had admitted that NALCO was one of the best plants in the whole world. Then, why has this question of disinvestment come now? It is a profit-making concern with great potentiality. Besides, it is earning foreign exchange for you. Out of the profit of Rs.600 crores this year, it is paying 40 per cent to your exchequer. Why have you brought NALCO under the guillotine of disinvestment? What is the ratiionale? Hon. Minister, kindly excuse me, I hold you in high esteem, I admire your intellect, your knowledge, your wisdom, but I would like to ask you one thing. Are you going to sell the NALCO at a cost of just Rs. 2900 crores when its value is already more than Rs. 15,000 crores? Are you going to hand it over to some private company at a throwaway price like fish or vegetables? That is one question.

Madam, it has been told that the value of the BALCO, I may be wrong, was Rs. 5,500 crores. But the Government sold it to Sterlite Company at Rs. 551 crores only. I do not know whether it is a fact or a fiction. I have no time to read out or spell out the names of companies which have been sold. Shri Sanjay Nirupam had raised a storm in the House as to how the Government is throwing away our national assets to private hands at nominal cost, almost no cost. Now, I am told that this disinvestment policy is undertaken and implemented in order to fill up the gap in the Budget. Now, Madam, through you, I have to put one question to the hon. Minister and to the Government. The question is : Is it a fact that big corporate houses have taken loans from the Government banks to the tune of Rs. 83,000 crores? May I know what steps the Government are taking to recover Rs. 83,000 crores to fill up the deficit? Has the Government given any thought to seize their Non-Performing Assets? Why not? Is it a fact that Rs. 150,000 crores are lying as arrears of taxes with big corporate houses? Have you tried to recover those tax arrears? So, if we have so many sources to fill the deficit, to enrich the Government's exchequer, why do you want to privatise the profit-earning public sector units at a nominal cost? How does it help the nation? I owe an answer from the hon. Minister. Thank you, Madam.

THE DEPUTY CHAIRMAN: I think, we should have some time for the Minister to answer. Shri Fali S. Nariman; ...*(Interruptions)*... Four hours are over.

MISS MABEL REBELLO (Madhya Pradesh): Madam, not a single woman has spoken in this House on this issue.

THE DEPUTY CHAIRMAN: There is no question of a woman not speaking. ...*(Interruptions)*...

MISS MABEL REBELLO: Madam, on these financial matters, these public sector undertakings, is it only the domain of men? Can't women speak? ...*(Interruptions)*... Madam, we seek your protection. We talk about empowerment of women, and giving them 33 per cent reservation and what not, and you do not give one minute to a woman to speak here. ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: Miss Mabel Rebello, I have not come up to you, yet, because, we have to abide by certain time. Your party Members got more time than they had. Never mind. When we discuss various issues in this House, we do not discuss them on the basis of gender. We discuss them on the basis of our contribution and what we know about a subject. It is not the problem of gender equalisation. ...*(Interruptions)*...

MISS MABEL REBELLO: You should give a chance to a woman also.

THE DEPUTY CHAIRMAN: Sure; you should ask your Whip, not me.

SHRI FALI S. NARIMAN (Nominated): I am sorry to quench upon my colleague's, my friend's time.

THE DEPUTY CHAIRMAN: Never mind; I am used to all kinds of allegations. I do not bother. ...*(Interruptions)*...

MISS MABEL REBELLO: Madam, I had sought your protection.

THE DEPUTY CHAIRMAN: All right; you have my protection. Shri Fali Nariman.

SHRI FALI S. NARIMAN: Madam, ideally, if Government cannot provide health, education, water and food -- and remember we are 140 in

the human development index -- and ensure that law and order is kept, the sooner, perhaps, that they get out of business the better. How they should get out of business is for the House to consider *i.e.* the modalities of disinvestment. The important thing, however, is -- and this is the point that I wish to make -- that this is not how the Constitution envisages the Government of the future, *i.e.*, the post 1950s.

Article 298 says that the executive power of the Union extends to carrying on any trade or business. Of course, the carrying on would mean the closing down and also selling any trade or business. But, the way the Constitution has been structured, the citizen's right to carry on the business was conditioned upon the State being entitled to monopolise that business. Therefore, the State was envisaged as playing a very big role in trade and business. Article 39(b) and Article 39(c), which are supposed to be the corner-stone of State Policy, which have all been forgotten after 1991, provides that the ownership and control of material resources of the community must be so distributed as best to subserve the common good. It was under this Article that all the nationalisation laws from 1970 to 1990 were upheld by the Supreme Court on the basis that nationalisation laws subserve the common good.

As for the slightly disingenuous argument of the hon. Minister of State for Law, that the common good includes private good is totally wrong. The common good means the good of the people as opposed to the private good. Private good is not envisaged in the Constitution. Therefore, I am impressing upon the Minister that one important consideration which everyone has forgotten after 1991 is when the Government reversed the trend of nationalisation. It forgot to change the goals in our Constitution. The Constitution has been at variance with the policies of the successive Governments. Privatisation, I am afraid, is anathema to the Constitution, as it stands. You amend it. You take consensus of everybody and amend it that we must privatise and that there should be a new goal. Perhaps economically it may be a good thing to do. But, at the moment when you declare under Article 37 that this is fundamental to the governance of the country, though not enforceable in courts. We are not a court. We do not enforce it here. But, it is fundamental to the governance in this country. Therefore, I respectfully ask both the sides -- my learned friends from the Opposition and those in the Government -- to consider the Constitutional goals and see whether we are following these Constitutional goals or we are

not following them. Therefore, I would respectfully submit that we have a Constitution, which we have all sworn by.

A lot of members have spoken about China. The less we speak about China the better. Madam, I say this with some personal experience. We have a differfent political agenda; we have a different way of life. In fact, when I was recently abroad somewhere in the Far East, a gentleman from that country suddenly got up. In one of the speeches at the Seminar he said: In my country there is a complete freedom of speech." Everybody looked very sheepishly at him, because they were very polite. Then he repeated it and said: "In my country there is a complete freedom of speech, but there is no freedom after the speech." So, Madam, I do not think any member of this House would appreciate that sort of freedom of speech, which that gentleman spoke of. It is a very good thing that whatever we discuss or do, at least we do that openly in public and there is no need to cite either the 13th or the 14th Congress of the People's Republic of China. Yet, it is much better that the way we do it is done ultimately by consensus. Therefore, in this economy we have ultimately succeeded. I have great hope in this country. I may not have any hope in the Governments of this country, but I have great hope in the future of this country. I am sure that under the guidance of all the leaders, who are present here, we will resolve in some way to find a modality of disinvestment that is being talked about.

Madam, I will just take a minute. Who is running the public sector undertakings? It is the Government. Who says that it wants to disinvest. It is the same Government. Then why do we wait till the same undertakings are mismanaged and suffer a loss before disinvestment? If there is no will to run it rightly or wrongly, then why don't we concentrate on the modality of disinvestment. We should see how we should disinvest in an open and proper manner. That, perhaps, is the best way out, subject, of course, to the constitutional mandate.

THE DEPUTY CHAIRMAN: Shri Narimanji, you understand Gujarati, you speak Gujarati. It reminds me a Gujarati proverb - "राजा व्यापारी तो प्रजा भिखारी।" This is the wisdom of a Gujarati businessman. Now, Mr. Minister, I have, may be, two and half Members to speak. Would you like to have a cup of tea before you start? You are sitting here since 12'o clock and, I think, somebody can take down the notes, while you can go and have a cup of tea.

SHRI ARUN SHOURIE: It is very kind of you, Madam.

THE DEPUTY CHAIRMAN: Before you reply, have a cup of tea.

SHRI ARUN SHOURIE: It is very kind of you....(*interruptions*)

THE DEPUTY CHAIRMAN: You have a job to do, it is okay....(*interruptions*)

SHRI ARUN SHOURIE: There are certain points which have been made and my dear friend Sanjayji has made very strong allegations against officers of our Ministry and I would prefer to sit here dutifully and answer them. I have already informed the Prime Minister's Officer that I cannot come for Mr. Putin's meeting. I am just here at your service.

THE DEPUTY CHAIRMAN: But a cup of tea can be....(*interruptions*) The House should allow you ...(*interruptions*)... He is sitting from 12 o' clock.....(*interruptions*) Somebody can take down notes and you can have a cup of tea. You can go to my Chamber and have a cup of tea. Somebody can take down the notes. Now, Mr. Jethmalaniji.....(*interruptions*) जी, आपका भी नाम है । Please do. You are most welcome. If you want to have it, have it.....(*interruptions*) My room is an open house, perhaps, you don't know. You can go and have a cup of tea with the Minister. You may discuss the problem with him there.....(*interruptions*) Yes, Shri Jethmalaniji.

SHRI RAM JETHMALANI (Maharashtra): Madam Deputy Chairman, I do not claim to be a maiden, but this is my maiden speech in this Session....(*interruptions*)

THE DEPUTY CHAIRMAN: How long? Shri Jethmalaniji, how long you want to remain maiden?

SHRI RAM JETHMALANI: I never made that claim, Madam. First of all, a couple of arguments, which are drawn from an economic philosophy, which has been explored quite some time ago, need to be dealt with. One of my friends who spoke against disinvestment and said that he is opposed to the very policy of it, he described disinvestment as a shameless disposal of national assets. I believe that we are the victims of

our own verbal formulations. The best way to define 'disinvestment' is the unlocking of mind-boggling amount of capital, which is locked up in a very strong locker of corruption and ineptitude and is producing no possible return. Thousands and thousands of crores of the tax payers' money and the part of which we had borrowed on heavy interests are locked up in the public sector and the public sector did not come even 1/12th of the interest, or return which an ordinary Multani banker would have given, if that money had been lent out on the hundi business.....(*interruptions*)

THE DEPUTY CHAIRMAN: Listen to me. ...(*interruptions*) ...

SHRI RAM JETHMALANI: This was the reason why this capital has to be unlocked and used for more productive purposes. Secondly, Madam, we are under a mind-boggling debt. I do not have the exact figures but the amount is so mind-boggling that the hon. Minister will probably tell us the actual figures. I know only one thing that the servicing of this mind-boggling debt appropriates about 75 per cent of our total tax revenue. The rest is spent upon this monolith called -- the Government organisation. Nothing remains for the poor man, nothing remains for the worker, nothing remains for the trade union leader, nothing remains for economic development. Therefore, the disposal of some assets which we have, became an imperative economic necessity. It is much more shameful for a person to be a debtor, and have creditors knocking at his doors all the time, and you having no means of paying those debts. On the contrary, you go on borrowing more and more to service the existing debts. I think it is much less shameful to dispose off a few assets and liquidate the debt. The policy which was enunciated some nine or ten years ago, when we decided to end the sorrows of socialism, was that the proceeds of disinvestment shall be used for three purposes :- It shall be used either for liquidating debt, or, for promoting health and education, or, for making non-profit-making concerns, and giving them some kind of a new look and new management, and making them profitable. My great complaint against the policy of disinvestment during the last few years has been that, first of all, two of these three objectives were illegitimate. The only legitimate object of disinvestment is that this nation must get out of the mind-boggling debt, in which it has been trapped, and the debt must go, so that the service-charges must remain for economic development, and development of the poor people. But it is too late now to go into the legitimacy of the remaining two declared objectives of disinvestment. But even those two objectives plus

the third one, which, according to me, is legitimate, the proceeds of disinvestment had never been applied to any of those three objectives, and all that we are told is that this money is being put in the Consolidated Fund of India.

Madam, I believe that this constitutes, if not legal, but at least, the moral breach of trust to the people of India that the proceeds of disinvestment have been applied for wrong purposes, for which they should never have been applied. My friend, Shri Sanjay Nirupam referred to the sale of Centaur Hotel. Madam, that has become a controversial sale, I must concede. But precisely because the controversy was raised, I have examined the whole transaction threadbare, to the best of my ability, to the best of my conscience. I do not want to utilize my little time in explaining that there is nothing wrong with that transaction. If at all --I am quite sure that, Shri Arun Shourie will be able to meet the transaction-- ....*(Interruption)*...I am talking of those. There is, first of all, nothing in the sale transaction by the Government. Secondly, the very fact that the purchaser from the Government made some profit, that itself shows the comparative efficiency of the private sector. When a private person sells an asset, he gives it a good look...*(Interruption)*...

THE DEPUTY CHAIRMAN : He is a Member of this House. He has the right to express his view.

SHRI RAM JETHMALANI : Thank you, Madam, for defending my right of free expression. When a private person sells his asset, he tries to give it a good look. He does a little innovation here, he does a window-dressing there, and unlike the Government, which is trying to sell because it wants to liquidate its debt, he is in no hurry. He selects his purchaser; he finds a person who is under an urgent, imperative necessity to buy, and he is bound to attract a much greater price. A bureaucrat will get ten rupees for the same article, but a private person, efficiently conducting his operations, will produce Rs. 20 out of the same asset. Therefore, this itself is an argument why we should privatise. We should privatise more, and we should privatise everything.

Madam, another aspect of disinvestment policy with which I wish to deal is that its objective should be to get out of the debt trap as soon as possible. For that purpose, what they have to dispose off is not their non-profit making concerns. That makes no difference. Sir, sell what you can,

except that the retention of which is necessary from the point of view of national security, from the point of view of preservation of sovereignty, and for other great public purposes. If some asset does not fall within that very important court, which is, essentially, to be retained by the State, and in the public sector, you must sell off, perhaps, those profit-making concerns first, because they will liquidate your debt early. And that is the main objective of the disinvestment policy.

Madam, there has been some reference to the sale of petroleum companies, oil companies. I do not understand that controversy. I believe that they are ought to be open to sale, but I do wish to suggest that all sales, hereafter, shall be subject to the principles of the Competition Law to which we are committed. The Competition Bill has been examined by the Standing Committee on Home Affairs, and that will soon become a law. The purpose of that law is to see that nobody is in a position to hijack the prices; nobody is able to harm the interests of the consumer. Don't create a kind of monopoly in the hands of some people so that they can exploit others. Madam, I hope when these sales take place, all the principles of the Competition Law will be borne in mind. Predatory capitalism shall not be encouraged. That predatory capitalism assumes, normally, the form of crony capitalism, and both of them have got to be avoided.

Madam, I won't take long. One of my hon. Friends has said that there are other methods of raising the revenue and bringing down the national debt. Of course, doubtless, they are. Hundred thousand crores of rupees of our tax-payers' money is bogged down in the companies of dishonest borrowers who have borrowed money, but are not willing to pay back, and they are able to get out of their obligation to pay either because they have a great clout, or, somebody or the other goes and pleads for them all the time, and the law is not enforced, or they take advantage of our legal system which, today, is, unfortunately, in shambles. Madam, a dishonest debtor is, today, the most comfortable citizen of this country because of the nature of the legal system which we have. Unfortunately, nothing is being done to improve the legal system. I hope the new securitisation law which has been passed will enable them to recover these hundred thousand crores of rupees of public money, a mind-boggling figure. I, therefore, hope that the compulsion to sell some assets might, to that extent, be reduced. But, Madam, I only wish to say that, ultimately, we have got into this debt trap and economic insolvency because of, what shall I say, corruption, corruption of mind-boggling proportions, which has come

5.00 p.m.

to permeate every aspect of our economic life. Unless that goes, there is no possibility of any economic development, there is no possibility of being redeemed from the debt trap, and the present state of affairs will continue. I hope, one of the reasons why we are privatising is to see that the consequences, the evil consequences, the damage of corruption, do not fall on the taxpayers, they fall on the private sector which practises corruption. Today, it is falling on the tax-payers because the Government bureaucrats and the Government are a party, and, therefore, the common man suffers. Thank you, Madam.

उपसभापति : आपने भी चाय पी ली होती । मुझे कोई ऐतराज नही होता ।

श्री आर.एस. गवई (महाराष्ट्र) : मैडम, हमने इसलिए पूछा था क्योंकि आपके साथ डिसक्रिमिनेशन नही होना चाहिए । Madam Chairperson, I will be very brief. At the outset, I extend my full support to the very rationale and logical views expressed by the senior Member of this House, Mr. Nariman. He does not belong to any political party; he is independent. He has put in a nutshell the very objective of the Constitution. I don't want to elaborate on it. He referred to the Directive Principles of State Policy. Now, have we been able to establish a society free from exploitation, poverty, and drinking water; have we been able to provide drinking water, right to work, equal status for men and women? No. So, why is this exercise, and for what? Is the subject under discussion of such top priority that deals with the basic objectives indicated in the Indian Constitution, hoping to achieve those objectives? No, Madam. Therefore, I do stress on the point. These objectives were set by stalwarts like Pandit Jawaharlal Nehru who stood like the Himalayas and who gave the framework to build the nation. Why have they adopted the policy of mixed economy? They never reversed it. Of course, they fought for freedom, and they got it. They adopted the Constitution hoping to bring prosperity for all people, not for just a few. So, they decided to adopt the policy of mixed economy. Where is the need, today, for deviating from the policy of mixed economy initiated by the great person, Pandit Jawaharlal Nehru. Certain things were adopted by such wise persons earlier. They are valid even till today, like foreign policy. We cannot deviate from such policies. But we are deviating from the ideologies which were laid down for a better future for the people of India. I would, therefore, ask: What are you going to achieve, and for what? Now, you are going back to private monopoly again, instead of State monopoly. For what? What status do you want to give to the private sector, as

against the State sector? The speech delivered by hon. Member, Narimanji, was, of course, on the positive side, but which is different from the goal stated by hon. senior Member, Jethmalaniji. He said he was hoping that this policy of the disinvestment would establish social democracy and economic democracy, would establish a good education system, a good health system, etc. But he was disappointed that neither that has been achieved, nor the goal of disinvestment policy. So, my question is: Why is there such an exercise which is not oriented towards the welfare of the people of India, towards the welfare of the people of the nation. Now, I would like the hon. Minister to ensure that whatever query has been raised by hon. Member, Shri Nariman, that is, whether we are achieving the objectives of the Constitution, the goals enshrined in the Preamble of the Constitution, in the Directive Principles of the Constitution, by implementing the policy of disinvestment.

Hon. Member, Shri Ram Jethmalani, said that he wanted to have a welfare scheme for the labour. What kind of a scheme is this? It is detrimental to the employees. There will be retrenchment, displacement, VRS, contract work, etc. The hon. Prime Minister is announcing the creation of new jobs, whereas this Disinvestment Policy is decreasing the jobs. What about the special status given by the Indian Constitution to the Scheduled Castes and the Scheduled Tribes? They are enjoying special privileges because of the Constitution. There is reservation in jobs. Of course, the Government itself is reluctant to provide reservation. As far as the weaker sections are concerned, it is a national problem. What is the guarantee that the private sector will provide reservation in appointment and reservation in promotion for the Scheduled Castes, the Scheduled Tribes and other weaker sections? If you say that your Disinvestment Policy is on the top of your agenda only because you want to achieve such and such things, please say those things, whatever it is. You please tell us whether you are going to achieve the objectives pointed out by Narimanji and Ram Jethmalaniji. I am opposing this Disinvestment Policy. At the same time, as a rational man, I say that it should be reviewed properly, and reviewed in such a manner and fashion that it helps you in achieving the common good of the common man. There is a lot of confusion. Their constituents say something. Shri Sanjay Nirupam said something. I don't know what was that.

THE DEPUTY CHAIRMAN: It was about democracy.

SHRI R.S. GAVAI: It was not about democracy. As you know, if you apply a scent, there will be some smell. That is all. It is only an indication. These are the faults. So, I request the Minister to review it in a better way so as to achieve the common good. Thank you.

THE DEPUTY CHAIRMAN: Miss Mabel Rebello. If you take only two minutes, I will allow you.

MISS MABEL REBELLO: Two minutes are not enough, Madam.

THE DEPUTY CHAIRMAN: You take two minutes. At least, there will be the name of a woman on the record, about which you complain.

MISS MABEL REBELLO: Madam, I am told that we have already lost 40 lakh jobs due to the disinvestment of a number of units. If they go on disinvesting these profit-making units, I think, in course of time, we will lose something like one crore jobs. Just now, my friend talked about the reservation for the Scheduled Castes and the Scheduled Tribes. They are not getting adequate reservation even in the PSUs. Once these PSUs are privatised, the SCs and the STs will never get jobs. They are not properly educated. They don't have the skills, and the private sector will not give them jobs. What will they do? They constitute 21 per cent of the population of the country. Similar is the case with women. Women are just getting educated. They have some hope of getting jobs, at least, in the PSUs. Once they are privatised, the women will be sitting at home, cooking for one hundred or two hundred years more. This is what this Government wants. Earlier, we had the public sector monopolies, where the bureaucrats and politicians were making money. We paid for their inefficiency also. Now, the private sector monopolies will come and they will exploit the consumer, instead of giving any relief to the consumer. I don't know when the Competition Bill will come. They are just saying, it is coming. God alone knows, when it will come. I hope it would come soon.

Madam, since I am coming from Madhya Pradesh, I would like to speak about one profit-making company, that is, the National Fertilizers Ltd., at Guna. This company, at Guna, has been running at almost 100 per cent of its capacity and it has been making profit for the last 10-15 years. Now, they are thinking of privatising it. It is a gas based plant and it will always

make profit and it is one of those companies that have taken the least subsidy. The private fertiliser companies are taking huge subsidies from the Government. The Government has to recover Rs. 10,000 crores from the private companies and I do not think this Government has got the guts or the capacity to recover the subsidy given to the private sector.

And, now, they want to sell the profit making public sector fertiliser company. Only the large monopolists will get the benefit out of it. People who are rich are becoming richer. This is one way of making the rich more richer. The poor people are being decimated. I think the poor will have only to commit suicide in this country, nothing else, if this kind of things go on. Madam, it is said in Cochin there is a place Trichur, people told me, 30 people out of a lakh of population are committing suicides. Earlier, people used to commit maximum suicides in countries like Sweden and Japan. And now in the literate State of Kerala, people are committing suicide. It is because of unemployment. And what is this Government doing? When they came to power, in the manifesto, they said that they will create one crore jobs per year. Did they create jobs? Instead of creating one crore jobs a year, every year, at least 50 lakh jobs are being disbanded. What are they doing? You tell me.

THE DEPUTY CHAIRMAN : I am not the Government. I can't tell. Neither I have a company nor I deal with disinvestment.

MISS MABEL REBELLO : Madam, I am asking through you. I am appealing to them to have some conscience and do something for the poor, for the people who can not help themselves. I want to speak for one minute more. They have sold a particular property of ITDC at Kovalam consisting of 65 acres of plantation, a prime land in Kerala, where land is so scarce. And a piece of land, 65 acres, which if valued at today's prices, will cost Rs. 500 crores. And they have sold it for Rs. 40 crores only. When the stock market is so low, and the tourism is not very good, is this the time to sell prime hotels? Even if anybody pays Rs. 1,000 crores, he will not get this type of land at Kovalam. They have sold it for a song. This is what they are doing, Madam. This is loot of public fund.

Madam, they have sold a company in Calcutta, Jesops was sold to Ruia Kotex which owes IDBI a lot of money. It is an NPA company. They owe a lot of money to IDBI. And that company has been given this unit.

Similarly, Essar Shipping, which is a defaulter company and owes 18 crores to IDBI and that company is being considered to take over the Shipping Corporation of India. If an NPA, a defaulter gets the Shipping Corporation of India, what will happen to this country and to the assets of this country? I really do not understand. And these people say we are disinvesting it to create more jobs. We do not understand that logic. It goes above our head altogether. We are common people. You please ask them to talk in the language of the common people. This is all I ask you.

THE DEPUTY CHAIRMAN : So, now there is no allegation of discrimination against women. And no allegation against another woman not allowing you.

MISS MABEL REBELLO : I have never alleged.

SHRI JANARDHANA POOJARY : Madam, kindly see that the voice of a woman is answered by the hon. Minister.

THE DEPUTY CHAIRMAN : Not only woman's voice, but men's voice also should be answered. Mr. Minister, now you can answer. He has heard you patiently. I have heard you patiently. Now let me hear the answer patiently.

SHRI H.K. JAVARE GOWDA: Madam, kindly allow me to speak. I will take only one minute.

THE DEPUTY CHAIRMAN: You had withdrawn your name. You gave your time to Shri Sanjay Nirupam. Now you fight with him.

SHRI ARUN SHOURIE: Madam, this is the thirteenth discussion on this subject in the last two years. The twelfth discussion is going on on a Private Members' Resolution. The eleventh discussion which took place in the other House had collapsed because of lack of quorum. Today, we really have a different kind of discussion, I believe, and it has been because of Shri Pranab Mukherjee's scholarly and dispassionate opening. We have had an erudite, a well-informed, a well-reasoned, a very cool discussion, but for one altercation. I think this is a great progress. I will try to answer each one of the questions. My only request is this. If the Members would be so kind to listen to the answer, that would be enough.....(*Interruptions*).

THE DPEUTY CHAIRMAN: He is speaking the same language that you spoke, *i.e.* English.

SHRI ARUN SHOURIE: The only thing is, some of the remarks that were made, were very farfetched. I will come to the other points which were reasonable and I will answer them. Shri Rama Shanker Kaushik said, "The report had been prepared by my friend and colleague in the Planning Commission, Shri S.P. Gupta, and the Government was putting pressure so that it is not released." The fact of the matter is, the report on employment was published in 2002. Several hon. Members, including my colleague sitting on this side, said that the C&AG had submitted a report on BALCO and had charged us with undervaluing BALCO by Rs. 300 crores. The fact of the matter is -- earlier also I had an occasion to mention it in the House -- the C&AG has not submitted any report on BALCO or on the Modern Foods. Madam, you will remember, two Sessions ago in this very House, an allegation was made that the C&AG had indicted us on Modern Foods. But no report has come.

श्री संजय निरूपम : यह ड्राफ्ट रिपोर्ट आई है ।

SHRI ARUN SHOURIE: Please don't interrupt. I did not interrupt you. (*Interruptions*).

श्री संजय निरूपम : मैडम, यह 300 करोड़ में 800 करोड़ का डिसइन्वेस्टमेंट है । यह ड्राफ्ट रिपोर्ट है । ....**(व्यवधान)**

उपसभापति : अभी ड्राफ्ट रिपोर्ट की बात मत कीजिए । जब रिपोर्ट आए तो टेबल पर रखिए । उसको रेफर कीजिए । कौन सी रिपोर्ट है ? I don't know.

श्री संजय निरूपम : मैडम, मैं आपको दिखा देता हूँ ।

THE DEPUTY CHAIRMAN: I do not want to see it. I am not interested in it. (*Interruptions*).

श्री संजय निरूपम : मैडम, मंत्री जी कुछ भी कहेंगे और हम सुनेंगे । आपने कहा कि कोई रिपोर्ट नहीं दी । यह ड्राफ्ट रिपोर्ट दी है । हां, वह रिपोर्ट अब तक फाइनल नहीं हुई, यह बात कही जा सकती है, लेकिन यह नहीं कह सकते कि कोई रिपोर्ट नहीं है ।...**(व्यवधान)**..

THE DEPUTY CHAIRMAN: If a report of the C&AG is final and it is placed on the Table of the House, you have full right to refer to it. But no draft is .....(*Interruptions*).

SHRI RAJIV RANJAN SINGH 'LALAN': Madam, it was there in the newspapers. (*Interruptions*).

THE DEPUTY CHAIRMAN: I am not concerned with newspapers. I am not bothered about newspapers. I am bothered just now about the rule. What is the rule? The rule is, if a report of the C&AG has been placed on the Table of the House, that is a property of the House. Newspapers are not the property of the House.

SHRI ARUN SHOURIE: Madam, I would like to mention as to why this confusion occurs repeatedly. The C&AG has a procedure. If they want to ask something -- Shri Pranab Mukherjee knows it -- they do not send a question. They send, what is called, a paragraph and the Ministry then sends clarifications on that paragraph. That is what has happened. In October 2001, one year ago, a paragraph on BALCO and on other things was sent to us. The replies were sent to them in December. We are one year away from that and there has been no response from the C&AG at all. A report of the C&AG goes through three-four stages. I am sure, if it comes here, we will provide explanations on the things that the C&AG writes to us.

श्री संघ प्रिय गौतम : आप सुन लीजिए । ...**(व्यवधान)**...

श्री दीपांकर मुखर्जी : कैसे सुन ले ? दो साल पहले यह बात की थी । दो साल हो गए और यह ड्राफ्ट रिपोर्ट है । ...**(व्यवधान)**...

श्री अरुण शौरी : मैडम, मैं सीएजी से थोड़े ही कह सकता हूँ कि वह आपको रिपोर्ट दे । Madam, just now, references, important references were made to Salem. I am not on that. Salem is not a plant that Disinvestment Ministry is dealing with at all. But, I think we should also know that the net loss of this wonderful company in 2000-2001 was Rs.153 crores. That the accumulated loss of Salem Plant is Rs.851 crores. Hindustan Photo Films was mentioned. You will, probably, be surprised to know, Madam, that it was declared sick in 1996. That its paid-up capital is only Rs.199 crores, but its accumulated losses as of last year, the 1st April was -- on Rs.199 crores paid-up capital -- its accumulated losses were Rs.1475 crores. And, it has an interest burden of Rs.250 crores per annum and the provisional debt burden, in addition to all those losses, is Rs.1791 crores. So, partial statements should not be made like this. I will deal with the Centaur Hotel matter extensively. Because, very great allegations against my colleagues in

the Ministry have been made and certainly, they become headline news, because they have been made by a party, representative of a party, which is a part of the Government. But, I will first bring to your attention the basic, two or three very simple points to show how even elementary investigative reporting had not been done. Madam, the allegation was that officers in the Ministry....(*interruptions*).....

THE DEPUTY CHAIRMAN: The question was raised. It is his duty to answer. No...(*Interruptions*).....

SHRI JIBON ROY: It is better to respond to the policy issue. (*Interruptions*)....

SHRI ARUN SHOURIE: I also come to that, Sir, because you will then say that I have not answered Centaur Hotel. I am first taking it up. Madam, the allegation was, the charge was, he said serious charge was that officers in our Ministry had made money in this regard and that their properties before and after all these transactions should be examined. Therefore, my first point is that this was not being handled by the Ministry of Disinvestment at all. How my officers could come and alter terms and make conditions to disqualify parties and qualify parties and restrict the whole competition to one or two parties? Madam, ...(*Interruptions*), just one second.

श्री संजय निरुपम : पूरे का पूरा डिसइन्वेस्टमेंट, यह डिसइन्वेस्टमेंट मिनिस्ट्री का काम है । ...**(व्यवधान)**...

श्री अरुण शौरी : ऐसा नही है भाई । ...**(व्यवधान)**...

THE DEPUTY CHAIRMAN: Mr. Sanjay Nirupam, I am not permitting it. (*Interruptions*)....Nothing will go on record.....(*interruptions*)...This will not go on record. Mr. Nirupam...(*Interruptions*). देखिए, आपने सवाल पूछा, काफी समय आप बाले, अब उनको जवाब देने दीजिए ..(व्यवधान).. Please listen to me. When a question is put up, let him, in his own way, reply. If you are not satisfied, you can do whatever you like, afterwards, but not now...(*Interruptions*)... I am not permitting it. Sit down. Mr. Nirupam, you listen to the Chair. The Minister has to answer to the people who raised the questions. It is not only you; it is everybody. You are not the only one who should be answered. Let him speak... (*Interruptions*). I do not want to

hear about the report of the Assurances Committee or the Privilege Committee, whateverit is... (*Interruptions*).He is not yieldings....(*Interruptions*).

श्री जीवन राय : मैडम, आपसे मेरा एक निवेदन है ।

उपसभापति : कोई निवेदन नहीं ।

श्री जीवन राय : बिफोर दि चेयर एक निवेदन है ।

THE DEPUTY CHAIRMAN: He is not yielding...(*Interruptions*)

SHRI JIBON ROY: I am on a point of order...(*Interruptions*)

THE DEPUTY CHAIRMAN: Mr. Premachandran, he doesn't need your support. He has got a loud voice. Now, Mr. Jibon Roy, what is your point of order?

SHRI JIBON ROY: I want to know whether the Minister of Disinvestment can disown the responsibility of disinvestment.

THE DEPUTY CHAIRMAN: I do not know whether he has done it or not...(*Interruptions*) Mr. Jibon Roy, I will tell you one thing. Until I hear his speech, I cannot give any ruling on your point of order, because I have not heard him. I don't think he has even spoken for more than four minutes. In four minutes, I cannot get an idea whether he is misleading or not misleading. You just keep quiet for two minutes. Let me at least come to a conclusion whether anybody has been misled or not. Okay? Now, keep quiet.

SHRI ARUN SHOURIE: Madam, there is a misunderstanding that the Hotel Corporation of India, which owns these properties in the airports, is a subsidiary of Air India. Air India is one that put out the 'expression of interest'. It was published in several newspapers. A counsel was being given that they should be published in newspapers. I asked the Air India office to fax me the 'expression of interest' that they published. It was published in the Business Standard -- I have a copy of it -- on 11th October, 2000. That is where the scene of Air India is. They handle the entire transaction. After all the processes have been gone through, after parties have been shortlisted, after the documents have been finalised, then, in September, 2001, we were asked to handle the calling of the financial bids.

Now, I will come to that. A point was made that the Jet Airways and the Sahara Airways wanted to be a part of this whole process, that they were excluded. This is the allegation. Now, I have with me a list of 28 parties that were allowed to continue, and nine parties which the Air India rejected. I would like to read out the list because it is a very serious allegation. And I would be very grateful to be told whether the Jet Airways and the Sahara Airways were in this. We were told that in the 'expression of interest', airlines were excluded; and, now, Sahara has bought it. Look, exactly that has happened. I do not know where it is; but in this expression of interest, certainly, there is no qualification of that kind that airlines are to be excluded. It is not so. Not only that, here it says that if any other company that had not applied, wants to bid now to join this hotel as part of a joint venture, they can bid, and they would be considered. So, if at any stage, Sahara did bid, the Air India did provide them an avenue to come. Madam, the names of the companies that were there include: (1) Arcon Hotels; (2) Asian Hotels; (3) Ambassador Group; (4) A.L. Batra Group; (5) Bharat Hotels Limited; (6) Cathay Pacific Catering Services; (7) Shelley Hotel Limited; (8) East India Hotels; (9) Gate Gourmet International; (10) Grenada Campus; (11) Golden Glue; (12) Hilton International; (13) Hotel Samrat International; (14) Indian Hotels and Health Resorts; (15) Indian Hotels Limited; (16) Impact Travellers; (17) ITC Group; (18) Jet Airways -- you are right; Jet Airways was in it and was qualified -- (19) Kamat Hotels; (20) Mandarin Oriental Hotels; (21) Maurya Hotel; (22) Nehru Place Hotel... 23rd- Radhakrishna Hospitality; 24th - Raffels Holding; 25th - some SATS.; 26th - Sun Air Hotels Ltd.; 27th - Tulip Star Hotels Ltd.; and 28th - Unison Hotel Ltd. Now, the parties that were rejected, not by us, but by Air India. At a meeting of the Board of Air India held on 9th December, they rejected the parties -- Crown Flight Services, Crown Hotel, Folio Holdings, HIC Employees Cooperative Society, International Investment Group, OK.. Trade and Ringling Hotels and Restaurants Private Limited and finally, the Standard Hotel. Where is Sahara in this? In any case, if Sahara wanted to come in, they could have come in at any stage, and, in this case, the meeting took place -- Air India informed me on the 9th of December, 2000. They have sent me the minutes of that meeting, including the criteria on which these nine parties were excluded. He said that JET was surreptitiously excluded. In fact, it was there in the included list. Now, it so happens that it is after all this had been done, that we come into the picture and only for taking the financial bids. But, even on that, Madam, completely misleading statement were made, and I will come to those, what happened, later on.

This is the point. Such grave allegations have been made. All of you have been very kind to me always. You always exempt me from charges of corruption, but you made very serious allegations, against officers when they were not even involved in this. You said there was a criterion for excluding the airline companies. There was no criterion; whether there was any other thing, I do not know.

SHRI DIPANKAR MUKHERJEE: You can have a CBI inquiry.

SHRI ARUN SHOURIE: I will certainly inquire. That is a fair suggestion. I will ask Air India whether the airlines were excluded. But the basic document is the advertisement inviting the expression of interest. There is no disqualification like this that has been laid down and the criteria on which those nine were rejected has also been spelt out by Air India in the meeting of the Board. There was somebody called Mr. Punhani, the officiating Director of Finance and convenor of the sub-committee. He reported the whole of the proceedings which have been included, which have been excluded, and why. I have read out the names. But such grave allegations have been made! (*Interruptions*) Why examination? It is the process of examination that I am coming to (*Interruptions*)

SHRI DIPANKAR MUKHERJEE: Madam, many papers have been quoted here by several hon. Members. (*Interruptions*)

THE DEPUTY CHAIRMAN: He is also producing his papers. (*Interruptions*)

SHRI JIBON ROY: Let there be an inquiry. (*Interruptions*)

THE DEPUTY CHAIRMAN: He has said that he will inquire into it. (*Interruptions*) No, no. (*Interruptions*) I am sorry, when Mr. Nirupam was speaking, everybody was willing to give him his time. Now, I would like the Minister to reply to Sanjay. (*Interruptions*) I have to protect Mr. Sanjay Nirupam's right also. (*Interruptions*)

श्री संजय निरुपम : पूरी बात सुनना नहीं चाहते।

THE DEPUTY CHAIRMAN: Let him finish. (*Interruptions*) अभी बैठिए। (*Interruptions*) All right. Now sit down. Don't interrupt. Listen peacefully. If

you really feel you want to know something, then the best thing is to listen. You are not the one to answer; he is the one to answer. (*Interruptions*) Sanjay, I am not allowing you. Sanjay, I am protecting you.

SHRI ARUN SHOURIE: Madam, I am not yielding.

THE DEPUTY CHAIRMAN: Mr. Sanjay, please sit down. I am not allowing you to interupt. (*Interruptions*) Sit down. (*Interruptions*)

श्री संजय निरुपम : सच तो बोलिए, सही तो बोलिए।

उपसभापति : बैठिए।

श्री संजय निरुपम : यह जिस Punhani कमेटी की रिपोर्ट बतला रहे हैं वह मेरे पास भी है।...**(व्यवधान)**...

THE DEPUTY CHAIRMAN: Will you please sit down? (*Interruptions*) Please, sit down.(*Interruptions*) It is not going on record. Please listen to me. (*Interruptions*) Please sit down. (*Interruptions*) No, the Minister is speaking. Take your seat. (*Interruptions*) No, he is not yielding. (*Interruptions*) It's not going on record. If he speaks or anybody speaks without my permission, it is not going on record. (*Interruptions*) Let him finish. आप बैठ जाइये। आप बैठ जाइये। ...**(व्यवधान)**... आप बैठ जाइये। ...**(व्यवधान)**... आप अपनी बात बोल चुके हैं। आपको ऐनफ टाइम दे दिया है। ...**(व्यवधान)**... मत सुनिए। ...**(व्यवधान)**... Then, you don't listen. (*Interruptions*)

SHRI BALBIR K. PUNJ (Uttar Pradesh): We want to hear, Madam. (*Interruptions*)

युवक कार्यक्रम और खेल मंत्री (श्री विक्रम वर्मा): मैडम, हम जवाब सुनना चाहते हैं। ...**(व्यवधान)**...

THE DEPUTY CHAIRMAN: Others want to hear. (*Interruptions*) Take your seats. (*Interruptions*) It is not to be reported. (*Interruptions*) Anyone who speaks without my permission will not be reported. (*Interruptions*)

Please sit down. You see, the Minister is on his legs. He is not yielding to you. You should follow the procedure of the House. You may

not agree with what he says. But you have to listen to him. I am not asking you to agree to what he says. Surely, you would not agree with that. But let him answer. You had put your query; he is answering the way he likes. (*Interruptions*) आप बैठ जाइये। ...**(व्यवधान)**... आप सुनना ही नहीं चाहते हैं। ...**(व्यवधान)**... I think you don't want to hear. (*Interruptions*) I have not heard anything, that... (*Interruptions*) Sanjay, let him speak. You have put the question; let him answer. (*Interruptions*) Please sit down. (*Interruptions*) आप बैठ जाइये। ...**(व्यवधान)**... I am saying that you are not listening. (*Interruptions*) I will sit the whole night, but I would like to listen to the answer. Please sit down. (*Interruptions*) You are infringing upon the rights of the other Members who have put their questions. So, let him answer. You are not the only Member of this House. There are others also. (*Interruptions*) आप बैठ जाइये। (*Interruptions*) Again? (*Interruptions*) What is wrong with you? Sit down. (*Interruptions*) Go and have a cup of tea and come back. Yes, Mr. Minister.

SHRI ARUN SHOURIE: Madam, I will be returning to this matter of Centaur Hotel in great detail. I will deal with the other points that Shri Mukherjee and other Members have made. I will come to the issue of Centaur Hotel, because you would be even more surprised when I give you the facts later on.

Madam, I just want to deal with the point made by my esteemed friend and defender in many cases, Mr. Nariman. Now, Madam, it is just for information. Actually, the constitutionality of disinvestment was challenged in many cases, and was specially argued -- if my memory serves me right, I am subject to correction -- in the BALCO case, and the Supreme Court completely endorsed what was being done and said that this was a policy matter which had to be decided by the Executive, and that they would not proceed against this. There is also some selection quotation of the Constitution that has been going on. Article 39 says -- Ram was just reminding me -- that assets are to be used to subserve the common good. If it does not serve the common good, then, as Ravi's figures and others have shown, a very different view has to be taken about it. But, Madam, even more important, the other day, some hon. Members were quoting -- Mr. Raghavan was quoting; the AIADMK Member was quoting -- the Directive Principles of State Policy. You please tell me whether you will want us to abide by the Constitution and enforce article 44, to enact a Common Civil Code. Similarly, why should we not enforce article 47, which talks about prohibition? Article 48 says, stop cow slaughter. (*Interruptions*)

SHRI DIPANKAR MUKHERJEE: Madam, I need your protection. This is how he is trying to divert the serious discussion on disinvestment. (*Interruptions*)

SHRI ARUN SHOURIE: Madam, I will start with points of agreement. (*Interruptions*)

SHRI JIBON ROY: He is talking about the Directive Principles of the State Policy. (*Interruptions*) The State policy is socialism. (*Interruptions*) You cannot dilute the Directive Principles of the State Policy. उन्हीं को जाने देते हैं फिर...**(व्यवधान)**... क्या फायदा ऐसे ...**(व्यवधान)**...

SHRI ARUN SHOURIE: Madam, this is the usual pattern of not letting me reply.

उपसभापति : अभी बैठिए आप । ...**(व्यवधान)**...

श्री जीवन राय : झगड़ा करने से तो काम नहीं चलेगा । ...**(व्यवधान)**...

SHRI DIPANKAR MUKHERJEE: He is not addressing the serious issue of policy; he is not addressing the very serious issue of corruption. He is replying... (*Interruptions*) There is a limit. (*Interruptions*)

SHRI ARUN SHOURIE: Madam, I want to start with the points of agreement. (*Interruptions*)

SHRI R.S. GAVAI: Madam, I have a point of order. (*Interruptions*)

THE DEPUTY CHAIRMAN: No, please. (*Interruptions*)

SHRI DIPANKAR MUKHERJEE: He is putting questions to us. This is his practice. (*Interruptions*)

THE DEPUTY CHAIRMAN: Please sit down. What is your point of order?

SHRI R.S. GAVAI: Madam, I have great regard and respect for the Minister. But what right has he got to say that it is not incumbent upon the Government to abide by the Directive Principles of the State Policy?

SHRI ARUN SHOURIE: I am not saying that. (*Interruptions*)

SHRI R.S. GAVAI: By quoting the Supreme Court judgment, it does not meant that we denigrate the spirit of the Constitution. This is number one. Number two; in a way, he is showing his disregard towards the Directive Principles of the State Policy. That is more detrimental and not befitting of him. (*Interruptions*)

SHRI ARUN SHOURIE: Actually, you are showing disregard. (*Interruptions*)

SHRI R.S. GAVAI: Madam, please ask the Minister to withdraw his words. (*Interruptions*)

SHRI N.K. PREMACHANDRAN: You amend the Constitution. (*Interruptions*)

SHRI DIPANKAR MUKHERJEE: Is the Disinvestment Minister above the law of the land? (*Interruptions*)

THE DEPUTY CHAIRMAN: There is no answer to that point of order. It is out of order. (*Interruptions*)

SHRI ARUN SHOURIE: Madam, I want to start with the points of agreement.

THE DEPUTY CHAIRMAN: I have given my ruling. This is not the proper way. This is what I would say, "Don't have disorder in the House." Let us discuss it. If you are really interested to listen to him... (*Interruptions*)

SHRI DIPANKAR MUKHERJEE: He is not serious. He is provoking the Opposition. (*Interruptions*)

THE DEPUTY CHAIRMAN: I am serious. I want to hear him. I am serious. I want to hear him very seriously. (Interruptions) Please take your seats. Let us have a serious discussion; let us finish the discussion. This running commentary is not acceptable to me. I don't like it; no Chair will like it; no Chair will permit it. You keep on speaking, one here, one there, two there and five there. No. (*Interruptions*) No. The Minister is speaking. I am

not allowing. (*Interruptions*) I don't know what the correct answer is. Neither I am the Minister for Investment nor for Disinvestment. (*Interruptions*)

SHRI JIBON ROY: The Minister should address those questions which were raised during the course of the debate. (*Interruptions*)

SHRI RAVI SHANKAR PRASAD: Allow him to address those points.

THE DEPUTY CHAIRMAN: Please sit down. (*Interruptions*) Yes, Dr. Manmohan Singh wants to say something.

THE LEADER OF THE OPPOSITION (DR. MANMOHAN SINGH): Madam, most respectfully, I have to submit to the hon. Minister that notwithstanding what the Supreme Court has said, the point which Mr. Fali S. Nariman raised is bothering a large number of people. As far as I know, this Government has never come before the House in the form of an explicit policy document stating the objectives and instrucments of its disinvestment policy.. All that we have is, bits of the Finance Minister's Part 'A' of the Budget Speech. That can not be considered a formal policy resolution on disinvestment, when we are making such far-reaching changes in the public ownership of our industries through disinvestment there is clearly a need for an explicit policy statement. When we want to nationalise an industry, we enact a law in this House. Now, the Government is denationalising a large segment of our industry, and it takes refuge behind what the Finance Minister has stated in his Budget Speech. The House never voted on that Budget Speech. Therefore, I do feel, as I said yesterday, if this Government is serious about a meaningful dialogue on evolving a national consensus, then, it must properly formulate a resolution stating the objectives and instruments of its disinvestment policy. The point that Mr. Nariman raised is a very valid one.

SHRI ARUN SHOURIE: The point that the Leader of the Opposition made is a standard point and I will continue to try to explain the policy. Let me continue, Madam.

I completely agree with what Dr. Mukherjee said in the beginning that disposal of assets is not the core of economic reforms. The object of economic reforms, which all of you pioneered and continued, I believe, in large parts of the country, barring one or two places, is to unleash the

productive potential of all the resources in the country, whether in public or in private. This is just one of those devices for that particular purpose.

Secondly, I completely agree with him. I agree with all other friends who have said that the capital receipts should not be used for meeting the current revenue needs. Mr. Subbarami Reddy, and everybody, was saying this and I completely agree with them.

SHRI JIBON ROY: What is this, Madam? (*Interruptions*)

THE DEPUTY CHAIRMAN: Can you sit quiet for five minutes? Or, is there some problem with you? (*Interruptions*) Sit for five minutes, at least. (*Interruptions*) He is replying to Mr. Pranab Mukherjee, who was the mover of the motion. If you want that he should reply to your points first, it is a different point. But you didn't speak at all. (*Interruptions*) He is not complaining, and why are you complaining on his behalf? The mover of the motion, who spoke in the beginning, is not complaining. Why are you complaining on his behalf? He didn't ask you to do that. At least, I don't see that. (*Interruptions*)

SHRI JIBON ROY: I am not satisfied. (*Interruptions*)

SHRI ARUN SHOURIE: This is just the standard technique of interruption. It is an unfortunate practice in our House. (*Interruptions*)

SHRI JIBON ROY: He is misappropriating the entire national asset. (*Interruptions*)

SHRI RAVI SHANKAR PRASAD: Madam, what is this? Why this *interruption* every now and then? (*Interruptions*)

PROF. R.B.S. VARMA: We have every right to hear the reply of the Minister. (*Interruptions*) Jibon Roy is interrupting the Minister, very often.

SHRI JIBON ROY: That is our tactics. We want answers and he is avoiding our points. (*Interruptions*) Do you know what policy you are pursuing? It is our tactics. (*Interruptions*)

THE DEPUTY CHAIRMAN: Mr. Minister, please continue. (*Interruptions*)

SHRI ARUN SHOURIE: I sincerely hope...*(Interruptions)*

THE DEPUTY CHAIRMAN: Please sit down, Mr. Jibon. Have patience. I think you are tired by now. It is quarter to six. The whole day you must be sitting here. Let him answer. *(Interruptions)*

SHRI ARUN SHOURIE: Madam, I would sincerely hope, one of the results of the review that is supposed to be going on for three months would be creation of a Disinvestment Fund, on the use of which there are different views. There is a view that it should be used for creating basic needs like drinking water; it is a very important point. Others have been urging that it should be used--I remember the Members from West Bengal, at one stage, saying that it should be used -- for welfare activities in those States where the units have gone sick or which are disinvested or sold. There is another view, as Mr. Ram Jethmalani just now said, and others too have said, that it should be used for retiring the debt. All these points would be considered.

I sincerely hope and I completely agree with that. We should move to a situation where the capital receipts are not used for meeting the current expenditure needs. That is one device by which the financial indiscipline is perpetuated in the Governments, both the Central Government and the State Governments. We should be really very cautious in this matter.

DR. MANMOHAN SINGH: This is what is happening. *(Interruptions)*

SHRI ARUN SHOURIE: Madam, I also believe that but for these nterruption· for the last three months, disinvestment was proceeding smoothly. You will be surprised when I use the word 'smoothly' for several reasons. One is, please believe me, there was a complete change in the attitude of the trade unions themselves of these enterprises vis-a-vis us. I know that when our Secretary had to go to BALCO, guards had to be provided to him. But in the case of Hindustan Zinc when the same bidder won and went there, the workers greeted them with garlands. Now, there is a change and I will come to it why there is that change. I would not mind disclosing here that INTUC is working closely with us because in Manganese Ores they want to have a workers buy out. I have myself been assisting them. ...*(Interruptions)*.. There was a similar attempt by the employees of the CMC. I had myself put them in touch with the venture

fund so that they could do an employees and management buyer out of the CMC. That did not succeed. So, they have been working closely with us. There is also the case that there have been rapid and visible gains in the disinvested companies. Ravi was just mentioning Paradip Phosphate. It went to some bidder known as Zuari Chemicals. Its production increased by 200 to 250 per cent within four months. In the case of IPCL, their sales and profitability have increased by 20 and 25 per cent. Their cost of debt has gone down. The CMC has been able to now bag an international contract. Such a rhetoric was put out on Modern Foods. Their sales are now double than they used to be. Expansion plans are afoot and they have been announced for IPCL for Rs.1000 crores and for BALCO to quadruple their capacity with an expansion of Rs.6000 crores which is what will provide jobs in the tribal areas of Korba belt where this plant is situated. This is also meant ....*(Interruptions)*.. Madam, the reason the workers have also seen is that in these companies, in these very companies, in many of them, there have been no wage revisions, as you know well, Madam, since 1997. We made it our job to persuade the successful bidders to immediately go for wage revisions. Similarly in fact, as you know, Madam in the case of public sector enterprises, even the Provident Fund contributions were not being deposited. An amount of Rs.1578 crores of Provident Fund contributions which had not been deposited. The ITDC was being mentioned. In the case of the ITDC, they had not deposited Rs.375 crores worth of Provident Fund contributions. All that is being turned around now. In the case of BALCO the wages have gone up by 20 per cent and eight allowances which had been terminated have now been restored. In the case of Paradip Phosphate the wages have increased by 30 per cent. They have been made effective since 1997. The arrears are to be paid over a period that has been negotiated. The wages, as Ravi was telling, have increased to Rs.12400 per month per worker. In Modern Foods, wages have increased by Rs.1800 per worker and because of our insistence and the Government's concern that there must be an ESOP that some employees must be given shares of up to two per cent in some cases at one-third of the market price, they have been given. In these companies where these shares have been given -- as in the case of CMC-- they have gained almost Rs.one lakh per employee just because of the capital appreciation - even though, as my friend from Maharashtra, Mr. Murli Deora, was pointing out, today the shares are depressed. Now, it is a fact. I do not want to hide it. Shri Pranab Mukherjee, very correctly, quoted statements of my colleagues. My own statements have been quoted to say

that we are at variance. There is no doubt that there has also been a suggestion from many senior colleagues that the matter should be reviewed. That review has taken place on the 7th September, 2002. Madam, 7th December is coming. If there is any change in the policy, I will, certainly, report it to this House and outside. But the point to remember is, as far as our small Ministry is concerned - certainly, not a super Ministry or anything -- we are bound to go, as every Minister is supposed to -- by the decision of the Cabinet Committee on Disinvestment which has all the powers of the Cabinet in this regard. It is presided over by the hon. Prime Minister. The CCD, when discussing any particular issue, has the representation of the concerned administrative Ministry throughout -- not only in the final meeting, but in the two to three years that it takes to bring a transaction to conclusion. At every stage, at every step, the administrative Ministry is involved. If there are other doubts, naturally, there will be collective consultations and this process of inter-Ministerial consultations are carried forward. In spite of what we have been reading in the newspapers and in spite of the fact that the process of disinvestment and privatisation has been, in effect, stopped for the last three months, the fact of the matter is, I believe and I will report to the House, there is a consensus in practice. Persons who are in the Government, in different parts of India or from different parties, are all facing the same problems. They are all gravitating for the same solutions. I have mentioned this in the earlier case. Persons, who are now in the BJP, when sitting on the other side, when reforms were pioneered, were shouting against it. But, when they came into office, they continued those processes -- maybe, with various modifications because of experience. But, in general, that is the case everywhere. That is the case on disinvestment also. While we take each other to task, Government after Government in the States, where different parties are in power, are in touch with us to, actually, follow and to find out what we are doing, how we are doing and how should they do it. I just read out one letter. It is from the Development Commissioner of Tamil Nadu. I am reading it out because the AIADMK was very strong and the other day also they were very strong. Today also he made an impatient plea on some individual plant. Here is a letter addressed to the Secretary, Disinvestment by the Development Commissioner and Secretary to the Government, Mr. N. Narayanan, of the Finance Department of the Government of Tamil Nadu. He says, "Dear Thiru Baijal, as you are aware, the Government of Tamil Nadu have initiated the process of disinvestment of its public sector undertakings. In this regard, I wish to inform you that the Government of Tamil Nadu has

decided to adopt the model being followed by the Government of India in the disinvestment of the central public sector undertakings. I am deputing the Additional Secretary, Finance Department, for learning the detailed procedure followed by the Department of Disinvestment, Government of India, in disinvestment. I request you to kindly instruct the officers to be available. The fact of the matter is that two officers from that Department, from the Government of Tamil Nadu, came here for two days, sat with us, went through line-by-line what procedures we follow. Before this, the Government of Punjab has been continuously in touch with us. They had sent their officers. In fact, they had asked us, my own colleague, Mr. Basu has, actually, drafted and then corrected the things that they have brought to us. You see the structure that they have adopted -- they have Cabinet Committee on Disinvestment, Core Group of Secretaries to handle it; as for appointment of advisers, the method of selection of adviser is exactly the same. In the case of the Government of Madhya Pradesh, they took a loan of 100 crore dollars from the Asian Development Bank so as to start the process. They did not have money to start the process. So committed were they to this kind of reform. In the case of Karnataka, he has just read out the policy statement of the Chief Minister of Karnataka. I can give you, what I have been given, I have not checked, the names of four profit-making companies of the Karnataka Government where the process of disinvestment has started. In the case of Punjab, the process has started for two profit-making companies -- the Punjab Tractors and the Punjab Communications. I am told that both of them are profit-making companies. You can access them on their websites. In the case of Kerala, the reports are that a team led by the Chief Secretary of Kerala had gone to the Asian Development Bank for securing a loan of 1800 crore dollars. One of the principal points of reform in this regard is on privatisation and disinvestment. I don't want to raise a ruckus, but I have details with regard to West Bengal also. They have already set up a committee for handling the whole matter. As that Committee has recommended, the Government has decided to close two companies, having more than 900 employees. What we call privatisation, they call, by euphemism joint ventures. They have also decided to close six companies, which have 2500 employees. Four companies have been selected for revival. I can give you the record in this regard. Actually, in West Bengal, the Department for Industrial Revival and Restructuring was set up. Dr. Mukherjee will remember, in 1973, twenty companies were handed over to that department for revival and restructuring, and all of them are as sick today as they were then. The

6.00 p.m.

Government of Andhra Pradesh has been one of the great pioneers. Mr. Chandrababu Naidu has been so kind as to personally address workshops that we had organised. He has set up an Implementation Secretariat in the Department of Public Enterprises. In that department, consultants from the Adam Smith Institute are working with his officers. Some of these things, like consultancy and others are in association with the Department for International Development of the United Kingdom, which is the new name for the ODA, which is equivalent to the USAID, in Britain. Dr. M.N. Dass, my own dear friend, Mr. Panda, and others made impatiently some very great points. What is the actual position? There are 68 public sector units. Thirty-four of them have been closed. Only nine of them are making profits. I read, "In November, the Cabinet cleared the sale of ten." I may be wrong. This is what I have been told. It further says, "It is pressing ahead with a plan to sell another 27 units." Actually, it was the first Government, in 1989, to have first privatised the Ferro-chrome Plant of the State Public Sector Undertaking, the ONC Alloys, in Keonjhar district. In April 2002, they had circulated a White Paper on public enterprises reforms. It says, "The thrust, since 1981, has changed from production to productivity, also from volume to quality of production. This changed need can no longer be met by the PSE monopoly, but by fair competition, which can be possible by encouraging multiple private owners." Then, they say, "There is no alternative, for the State, other than to carry out public enterprise reforms, involving restructuring and disinvestment." Again, they say, "For core enterprises, the preference will be given to strategic sale." Madam, I can read out to you a list of Karnataka units, a list of nine enterprises from Madhya Pradesh, which are profit-making, and which are now being put up for sale, and a list of Punjab units. Even in Andhra, there is the Godavari Fertilizers and Chemicals, which is a joint venture with the IFFCO. They have 26 per cent equity. That is a profit-making company. They are unloading that also.

So, Madam, I believe there is a consensus in practice. And there are many points of view within each Party about profit-making units, non profit-making units, strategic sectors, core sectors and other issues. And every Party and group will...(*Interruptions*)

SHRI PRANAB MUKHERJEE: Madam, may I just interrupt for a second? This is, precisely, the point that we are trying to harp on. You

referred to 12 discussions that had taken place in this House and in that House. But, unfortunately, not a single discussion was initiated by the Government on a Policy Paper, which would be the, ultimate, final document. Please don't mind it, you referred to a letter written by the Finance Secretary of Tamil Nadu to your Secretary. Even the State Governments are not quite clear about the procedure, about the functioning. Therefore, is it not incumbent on the Union Government to formulate a policy, have a national debate in both the Houses of Parliament, taking all views into consideration, and thereafter, proceed further? This is precisely what we wanted. We are raising certain questions in a debate initiated by Private Members, and you are responding to that. Most of them are based on facts, but the basic, fundamental, issue is this. Is this the only core issue of the reforms? Is this the only way of revival of the public sector enterprises, or, is there any other alternative? Have you ever explored that possibility? And unless there is an informed, structured, debate initiated by the Government on a policy resolution, how can we do that? This is precisely our plea to you.

SHRI ARUN SHOURIE: Madam, this is a fair point. For this reason alone; as this point was being raised, when I was first given charge of this Ministry, we had produced, what I thought was a very comprehensive and detailed book. It was circulated to everybody. It is on the website. It was circulated to every Member of Parliament also. But, if these reviews and these important points that have been made lead to new points of view, I will, certainly, come back to that. Sir,...*(Interruptions)*...

SHRI PRANAB MUKHERJEE: I am sorry, Sir, it is not arising simply because of our perception, it is arising because of the sharp differences which you are having in your own Cabinet. You yourself agreed with this point. Therefore, it is high-time that these issues were sorted out, and initiative taken by the Government. Why are you waiting for three months? ...*(Interruptions)*... Just, let me complete it. Why are you waiting for three months, that is, from 7th September to 7th December, when there is no agreement of view in the Government itself? It is time that you sort it out. We are not interested in having some factual information alone. Those are important. We would like to have that information on the website. We would like to go through all the documents which you are supplying to us. But what is needed is a precise policy statement, outlining all aspects. Ten years have passed, so, surely, we would like to scrutinize all angles and

different perceptions. Dr. Manmohan Singhji has very correctly pointed out that when we go for nationalisation, we come to Parliament, we pass an Act of Nationalisation, including the NTC mills which were taken away under the IDR Act. Now, when we are disposing of the assets, for whatever reason it may be, which were created out of the taxpayers money; out of the borrowed money, when we are going in for privatisation, is it not incumbent on you to come, on your own, with a Policy Paper, with a document, on the basis of which there could be a discussion? This is my submission to you.

SHRI ARUN SHOURIE: Madam, I will continue. He has made an important observation. The issue of profit-making companies was raised many times. ...*(Interruptions)*... I have already mentioned to you that in the State Governments where other parties are in office, no distinction of this kind is being made. But, other than that, may I just mention...*(Interruptions)*... Just one second, Sir. I will just continue. ...*(Interruptions)*...

SHRI DIPANKAR MUKHERJEE: This is only half a statement. ...*(Interruptions)*...

SHRI ARUN SHOURIE: Madam, I am talking about...*(Interruptions)*...

SHRI DIPANKAR MUKHERJEE: We are talking about the core sectors....*(Interruptions)*... We are talking about a consensus on disinvestment of profit-making companies. This is the issue. And most of the parties; the Congress Party, the Left, the Shiv Sena, the Samata Party, all, have said that they have reservations on privatisation of profit-making companies. Does the Government want a consensus on this? If they want a consensus on this, and, if there is a difference of opinion between the Cabinet Ministers, I had suggested the Prime Minister should intervene. A review opinion of the Cabinet Ministers may be sought. I know his limitations also. The Prime Minister should come forward with a policy statement on this issue, that is, the issue of disinvestment of profit-making companies. Number two, as far as the definition of core sector is concerned, the oil sector, the steel sector, need to be redefined. This is a limited issue where we should have some consensus. Though we differ on major issues of disinvestment, on this limited issue, I think, there should be some consensus. This point should be clarified, once and for all. Madam, I want your directions. You can intervene. I think, the Prime Minister should come over here. There is a difference of opinion, even among the NDA allies, and among the Cabinet Ministers itself. ...*(Interruptions)* I don't want

to go into the details of the case. The corruption charge was raised, when I started about the Stiglitz Report. So, when corruption reports are coming, it may be true, it may not be true. When such things are happening within the NDA, it would be better to clear them before the public. It is not that the Opposition will charge you, if you ask for an inquiry.दूध का दूध और पानी का पानी हो जाए । Then, it will become a model case. यहां पता लग जाएगा । Why don't you ask for an inquriy?

THE DEPUTY CHAIRMAN: The gist of the suggestions which Shri Pranab Mukherjee has made, on behalf of the Left Front is --you are replying to the queries, which have been raised in the course of the debate --they actually want that there should be a policy document. You should decide about it among yourselves. Once that policy is made, you should bring it before the House. That policy should be discussed in both the Houses. Thereafter, on the basis of that policy, you should decide whether an industry which is profit-making industry, or, an industry which is not profit making, should be disinvested or not. But that will be done as per the policy. The State Governments will also follow the same procedure. So, this is a very constructive suggestion. You can think about it.

SHRI ARUN SHOURIE: Madam, it is a simple matter. I will simply consider it. May I just mention for the record that, actually, the book we produced and circulated has been on the basis of many discussions and remarks in this House. It is called, 'The Policies and Procedures of Disinvestment."..(*Interruptions*)..

THE DEPUTY CHAIRMAN: Let me listen.

SHRI ARUN SHOURIE: And all the policies, procedures, every step, and every detail has already been put out in that. But, certainly, an important suggestion has been made. I will certainly consider over it and come back to the House.

THE DEPUTY CHAIRMAN: No, we don't want you to come back again to have this kind of a discussion. The spirit of the discussion is that the Members feel that in the absence of a proper direction, it may be correct to some; it may not be correct to some, all these misunderstandings take place. It will be better, if you iron out these differences with the help of certain guidelines. If the Government feels , it can first discuss it outside the

House. Then, it can bring it before the House. If you want to discuss it in the House later on, the House will find a time.

SHRI ARUN SHOURIE: Madam, that is why I mentioned, there will be many occasions for this to be done.

SHRI FALI S. NARIMAN: Madam, if you permit me. I want to say something. The point which Shri Pranab Mukherjee has forcefully made is extremely important that for a period of almost 10-20 years, there have been a series of nationalisation acts. Most of these PSUs are part of that product. The hon. Minister may also please consider that would it not be proper -- since all these were part of nationalisation enactments; that was the point made -- for the Government to go through some sort of a legislation, or, a resolution, whatever you may like to call it, to undo what has been done, in the public interest? Everything is in the public interest. But, at one time, it was taken over by the State in the public interest. Now, we feel that it should be privatised, or, whatever it is. Shouldn't that be by a process of Resolution or legislation, as may be convenient to the Government? The hon. Minister may kindly check it, because it is a very important point which has been raised. BALCO has nothing to do with it. That decision has nothing to do with it. The Executive decision or policy decision is a different thing. In all these nationalisation acts, whether all assets have been taken over, public funds have been spent for that purpose. Now, my point is, when you want to retrace your step, how do you lawfully do it. And, that is a point on which we must all decide and determine. I respectfully submit.

THE DEPUTY CHAIRMAN: It is like what we do in the case of Repeal Bills.

SHRI FALI S. NARIMAN: Exactly, Madam. ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: We think that there should be some legislative measures to denationalise whatever the Government wants to denationalise.

SHRI PRANAB MUKHERJEE: It can be in the form of a policy statement of the Government. We will adopt it.

SHRI ARUN SHOURIE: Madam, you and Mr. Nariman have now absolutely and accurately defined as to what are the points on which the Government is obliged to come, in executive matters, to Parliament, and, i.e., that when a company was nationalised, or even if it was set up by an Act of Parliament, we have to come back to Parliament for that purpose. Now, it just so happens that ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: For UTI; everything.

SHRI ARUN SHOURIE: Madam, Central Warehousing Corporation. When an eminent lawyer, Mr. Nariman, was saying it, I first checked this point, and I was told -- exactly what Shri Nariman has said just now and what the Deputy Chairperson has mentioned -- that where an Act of Parliament was involved, we have to come back to Parliament to seek a change or repeal of that Act. Not one of the companies that we are handling is a company of that kind. That is the point.

THE DEPUTY CHAIRMAN: No; that is for the legislative purpose.

SHRI PRANAB MUKHERJEE: That is why I am suggesting that for these companies which were created by an Executive Order -- because a huge amount of money has been invested -- you come out with a policy statement. Let that be scrutinised, and, thereafter, you proceed.

SHRI ARUN SHOURIE: Madam, I will certainly bear that in mind. Madam, various hon. Members ...

SHRI FALI S. NARIMAN: The non-statutory route is also permissible. What the hon. Minister has said is that it should be then completed through a non-statutory route, which would be in the form of a policy statement or a resolution. If that otherwise meets with your ...

SHRI ARUN SHOURIE: Madam, we had considered this point of view, and I feel that what you and Mr. Nariman had said earlier precisely defines as to what is to be done.

Madam, the second point is this. The question of profit-making companies and loss-making companies was again and again mentioned. I will just state the facts. I will again say that; please believe me, it is not by way of scoring debating points. It is not stating half-truths or anything like that. I will just state the facts before you. One of these is, ...*(Interruptions)*...

उपसभापति : अभी पॉलिसी स्टेटमेंट नही आया । जब आएगा, तब आप उस पर बात कर लेना । अभी जो है, उस पर बात कर लें । ...*(Interruptions)*... Are you going to wait till the policy statement comes? ...*(Interruptions)*...

SHRI JIBON ROY: We are not *per se* against all these disinvestments. ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: Mr. Pranab Mukherjee and Mr. Nariman have said that a policy statement should come. In the absence of a policy statement, we did have a discussion. Now, to have a conclusion of the discussion, the Minister has to answer. Do you mean to say that we should wait till the policy statement comes? We cannot. We have to get an answer to what we spoke. ...*(Interruptions)*...

SHRI JIBON ROY: We are happy that the Minister has agreed that he would come with a policy statement. ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: I am the happiest person. ...*(Interruptions)*...

SHRI ARUN SHOURIE: Madam, I did not say anything of that kind. ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: Actually, Mr. Jibon Roy, why I said that I am the happiest person is because, now, you will keep quiet. ...*(Interruptions)*...

श्री संजय निरूपम : मैडम ।

उपसभापति : नहीं, अभी नही । आप भी खुश हो जाइए । खुश होकर बैठ जाइए । ...*(Interruptions)*... Everybody is happy. Now; please sit down. ...*(Interruptions)*...

श्री संजय निरूपम : मैडम, आधा मिनट, ...**(व्यवधान)**... दो सेकेण्ड तो दे दीजिए ।

उपसभापति : Please sit down. अभी मंत्री जी बोल रहे हैं । He is not yielding. And, there is no rule in the rule book that if the Minister is not yielding, you can still speak. ...*(Interruptions)*... I cannot force him to sit down. ...*(Interruptions)*... No; I cannot force him to sit down.

श्री संजय निरूपम : एक छोटा सा निवेदन तो मैं कर सकता हूँ । ...**(व्यवधान)**... जब तक पॉलिसी स्टेटमेंट नहीं आता तब तक डिसइन्वेस्टमेंट का प्रोसेस रोक देना चाहिए । इतना तो छोटा सा स्टेटमेंट देने दीजिए ।

उपसभापति : अब स्टेटमेंट तो मंत्री जी देंगे, मैं थोड़े ही स्टेटमेंट दूंगी ।

SHRI ARUN SHORIE: Madam, I would just mention the basic facts, not to score points. During 1991-2000, disinvestment took place in 39 companies; 37 of them were profit making, only two were loss making. In 2000-2002, when I have been handling this whole matter... Of the 34 companies that have been disinvested, 26 are loss-making. We are now working on 47 companies, of which 19 are profit-making and 28 are loss-making. We are always told to follow the expert advice of the Disinvestment Commission. They have now recommended disinvestment of seven companies. They have submitted a report on them. Of these, five are profit-making companies. Mr. Das took a strong objection to my saying that NALCO would become SAIL, but, please look at SAIL itself. SAIL used to be a profit-making company. Two years ago, a Rs.10,000 crore package had to be given to it, to prevent it from becoming a sick company. I am speaking from memory, only last year Rs.1700 crores was given. This year, in the last four months, things are improving, and the profitability of SAIL is also improving. It is because of the tide in the market that everything is going up. HMT was mentioned the other day. A restructuring package was to be given to HMT two years ago. In the case of HSCL, a financial restructuring is in the process now. At one stage, the STC and the MMTC were making great profits. They are now in the doldrums because their monopoly and canalising has ended.

श्री मुरली सीताराम देवरा : बंद करो ।

श्री अरुण शौरी : कइयों में तो वेस्ट बंगाल गवर्नमेंट वही कर रही है ।

श्री संघ प्रिय गौतम : एच.एम.टी. का क्या हुआ ?

श्री अरुण शौरी : इसको बचा रहे हैं, बचाने की कोशिश की जा रही है ।

श्री संघ प्रिय गौतम : वह इसलिए बचा रहे हैं कि सबने घड़ियां ली हैं एच0एम0टी0 की, इसलिए थोड़ा लिहाज़ करना चाहिए एच0एम0टी0 का, वरना घड़ियां वापिस करो ।

SHRI ARUN SHOURIE: Mr. Pranab Mukherjee and others were talking of disagreements among the Ministers in the case of the Plan Document. As I mentioned to you, I can only go by the decisions of the Cabinet Committee on Disinvestment. My colleague and I are a very small team. We can only go by that Committee presided over by the Prime Minister. Mr. Mukherjee is right that already six months of the first year of the Tenth Plan have passed, and it is yet to be considered by the NDC. The Approach Paper was approved by the NDC and the Cabinet. The Tenth Plan Document, which has been approved by the Cabinet, provides for Rs.78,000 crores from out of the proceeds of disinvestments. That is almost Rs.16,000 crores every year. Now, if you take only the loss-making companies, you will never be able to get the amount of this magnitude. There are 240 Central public sector undertakings. More than half of them are making losses. In fact, 66 of them are before the BIFR, as sick companies. If you try to go in for disinvestment in their case, the BIFR itself will take eight years. Therefore, no disinvestment is possible in those 66 cases. We can only report to the BIFR, which will then consider it. In the case of Jessops, the Calcutta High Court has given a stay even on the BIFR proceedings.

Therefore, if we proceed like this, even the Plan targets and Plan finances would be in jeopardy.

The third point was made, with a great force, by Miss Rebello saying that one crore people are going to lose their job. Forty lakh people have already lost their job. Mr. Gavai, Mr. Chitharanjan and others have also stressed this point. Please look at the facts from the year 1991 to 2000, when there was no strategic disinvestment. (*Interruptions*)

THE DEPUTY CHAIRMAN: Please, let him finish. It is too late. (*Interruptions*).

SHRI ARUN SHOURIE: From 1991 to 2000, when there was no strategic disinvestment, public sector employment went down from 2.3 million to 1.7 million. Those jobs that were lost, were not lost because of disinvestment. That was a continuous process....(*interruptions*)

श्री दीपांकर मुखर्जी : मैडम, इनको हिन्दी में समझा दीजिए ...**(व्यवधान)**... इन्हें हिन्दी में समझा दीजिए । Has he agreed for the policy? "हां" या "ना", बस यह बता दीजिए ...**(व्यवधान)**... यही तो डिस्कस हुआ है, यही तो चेयर का डायरेक्शन है ।

श्री जीवन राय : दो बार बता दीजिए बस ...(**व्यवधान**)... मैडम, इनको समझा दीजिए।

उपसभापति : अगर मैं आपको नहीं समझा सकती, तो किसी को नहीं समझा सकती । इसलिए आप बैठ जाइए ।

श्री दीपांकर मुखर्जी : पालिसी डॉक्यूमेंट आ रहा है क्या ? Is the 'Policy Document' coming? पालिसी पेपर ला रहे हैं या नहीं ...(**व्यवधान**)...

SHRI ARUN SHOURIE: Madam, when I talk of policy, they talk of the Centaur Hotel; when I talk of the Centaur Hotel, they say, talk about the policy. When I talk about facts, they question me about policy papers. ....(*Interruptions*)..... So, Madam, this employment was declining in .....(*Interruptions*) ...

श्री जीवन राय : पुरानी कहानियां सुनाने का क्या काम है ?

SHRI ARUN SHOURIE: All this is going on record. .....(*Interruptions*)... Madam, the employment was declining in the public sector, precisely because, these companies were becoming uncompetitive. This is the way to revive them, and I mentioned to you, by expansion of facilities up to quadrupling of their capacity, by multiplication of production by 215 per cent, in four months, they can be revived. That is the way jobs ....(*interruptions*) ...

SHRI MANOJ BHATTACHARYA: You should be ashamed of that. ....(*Interruptions*) .... Persons appointed by you mismanage these companies, and you have a hand in that.....(*Interruptions*) .....

SHRI ARUN SHOURIE: This is the way by which jobs can be created, and jobs can be protected. We can do that by expansions, by the companies becoming better managed, by aggressive partners in all these enterprises. Madam, an important point was made in regard to monopolies, on creation of private monopolies also. The fact of the matter is that actually the scale of even many of our giant plants is minuscule compared to world's scale that you have to meet. If the NALCO is compared with the competition from the ALCOA, today, the NALCO is protected by a 20 per cent duty on imports. Have you seen advertisements against that? All this is being done to protect aluminium producers like HINDALCO rather than

the aluminium users. If I give you the facts on NALCO, you will then say, that I am trying to lower the price of NALCO for bidders. Yes, look at the product composition, you will see -- what is the difference and what is the competition that NALCO is going to face in the coming years? But the important point, Madam, is that many of these plants are very small. Very forceful argument is being made that IPCL has been given to the Reliance. Do you know about the scale of Reliance, when compared with such petro-chemical plants in the world? Actually, the abuse of such market position in India, at present, is well-safeguarded, because all these items are now on the OGL and the instrument for beating down anybody, any monopolist in India, who is misusing his market position for market manipulation, lies in the hands of every Finance Minister. He just has to lower the import duties and thereby there will be a flood of imports and the person will not be able to meet that competition. The most important point, Madam, is that in the Competition Bill, which Parliament is now considering, there is a complete redefinition of the approach of the country. You will get an occasion to do that in regard to market positions. The central point of the Competition Bill, which you are considering, is that the criterion shall not be market dominance, but the abuse of market prominance, which will then be checked by very many devices, which your own Bill is considering. Therefore, Madam, in the case of the scale of these plants, there is an old phrase - "In a village, a cobbler is a monopolist, but you do not want to penalise the cobbler for being the only cobbler in a radius of five miles." So, we have to see this. We have to be internationally competitive and for that reason, I believe, that we must go for higher scales and get over this phobia of monopoly, which is often used against individual corporate houses. Then, Shri Lalan made this point...(*interruptions*)...He was saying that एक अंधी दौड़ हो रही है इस सब चीज के लिए। Actually, if you look at the facts, it is taking us from eight months to four years to complete a transaction, and many of them have already been stopped, as in the case of JCM, for an indefinite time by both BIFR, after going to BIFR, and then, both being taken to the court. So, there is no alternative at all.

THE DEPUTY CHAIRMAN : Mr. Minister, how much more time will you take?....(*Interruptions*)...

SHRI ARUN SHOURIE : Madam, if you want me to deal with the other point, I can take that up.....(*Interruption*)... मुझे 5 मिनट दे दीजिए, बस खत्म कर देता हूं। हमेशा यही होता है। जब संतूर होटल का नहीं होगा तो आप ही कहेंगे। Madam, there are two other points. If you don't want me to answer to one

of them, I can go directly to the question of the Centaur Hotel....(*Interruptions*)....

SHRI VIDUTHALAI VIRUMBI : Madam, he wants to say something. Since we are already getting late, you can adjourn the House now, and we can continue the discussion tomorrow....(*Interruptions*)....

SHRI ARUN SHOURIE : Madam, there are three points regarding the Centaur Hotel, and three points....(*Interruptions*)

SHRI DIPANKAR MUKHERJEE : Madam, that point needs to be clarified - whether he is coming out with the policy papers, or not. ....(*interruptions*)...

THE DEPUTY CHAIRMAN : If you interrupt, more time will be taken. And I want to bring the discussion to an end. ...(*interruptions*)

SHRI ARUN SHOURIE : I am finishing it within ten minutes. I am clarifying the issue of the Centaur Hotel. Madam, the first expression of interest was by Air India in September, 2000. All this business of listing parties, drawing up criteria, disqualifying nine parties, were all handled by them. After all that had been done...(*interruptions*)...

SHRI SANJAY NIRUPAM : The criteria was finalised by the global advisor, not by the Ministry of Civil Aviation or Air India. Please, correct it. कुछ भी बोलने से काम नहीं चलेगा।.....**(व्यवधान)**...क्राइटेरिया सिविल एविएशन मिनिस्ट्री तय नही कर सकती। ग्लोबल एडवाइजर इसके लिए अपोइंट किया हुआ था। यह ग्लोबल एडवाइजर ने तय किया है।

SHRI ARUN SHOURIE: Madam, if we come into the picture of inviting the bids, when the first bid that was received, there were four parties ....(*Interruptions*)....

प्रो. रामबक्ष सिंह वर्मा : आप सच्चाई नही सुनना चाहते।

श्री दीपांकर मुखर्जी : आप सच्चाई सुनने के लिए सी0बी0आई0 इंक्वायरी कराइए।

SHRI ARUN SHOURIE : Last time there was a CBI inquiry, on the first degree, Sir, everybody lost interest in the CBI inquiry. Madam, I want to

clarify all the facts right now here, which were listed in the inquiry. There were, in the end, four parties - AL Batra Group, Indian Hotels Group, ITC Group, and something called Moroccon Hotel. This is the list of intent letters that were submitted by these four parties. The list of parties who participated in bids were, four parties - AL Batra Group, Indian Hotels Group, ITC Group and Moroccon Hotel. The list of first round bids that were invited were from four parties - AL Batra Group, Indian Hotels Group, ITC Group and Moroccon Hotel. When the bids were received, only the Batra Group had filed a bid; that bid was for Rs. 65 crores. That bid was for Rs.65 crores, and the reserve price had been set at Rs.76 crores. The Inter-ministerial Group reconsidered it. The Core Group, headed by the Cabinet Secretary, and the Cabinet Committee on Disinvestment, decided to reject the bid. Then, we were asked to re-examine it. I can read out those things to you. The Cabinet Committee on Disinvestment directed us to re-examine the terms so as to invite bids from more parties. There is no secret of the fact that the charge of six per cent of the turnover by the Airports Authority was reduced to two per cent. We, actually, went back to the Cabinet with three alternatives. If you have time, I will read out to you those three alternatives that we have submitted. The Cabinet chose this bid, reducing it from six per cent to two per cent, and said, "Now, invite bids again." We went back to all those four parties that had persevered; sent them all the information stating, "this is the term which has been revised." We asked them to submit it again. We asked the advisers to value the property again. Then, they came up with a reserve price of Rs.78 crores. All that was kept secret at that time.

SHRI JANARDHANA POOJARY (Karnataka): These are all manipulations. ...*(Interruptions)*...

SHRI ARUN SHOURIE: Just one second. ...*(Interruptions)*...

SHRI JANARDHANA POOJARY: Madam, he has made a serious allegation. ...*(Interruptions)*... It is a serious allegation. He has said that it is a serious allegation. You have also admitted that it is a serious allegation. ...*(Interruptions)*...

SHRI ARUN SHOURIE: Do Mr. Mukherjee and Dr. Manmohan Singh subscribe to that? ...*(Interruptions)*... Madam, this change of six per cent to two per cent was meant for all the properties, not only in Bombay but elsewhere also. ...*(Interruptions)*... Just one second. It was meant for all the properties of the Airports Authority of India, which were offered for

disinvestment. And all the bidders, not only in Bombay, but in other parts of the country, for instance, the Centaur Hotel in Delhi, were also informed that this change had come about. They were asked to bid again. This person increased his bid from Rs.65 crores to Rs.83 crores. That is what was, then, accepted, because it was above the reserve price.

There are disputes about this. Murliji has been kind enough to tell me, earlier also, about the time to sell hotels. He has made a very persuasive point today. Sir, I tell you frankly that, every time, a transaction is to be done; all sorts of good reasons are given; why it should be postponed for a while. And what happens in the end? The charge is that in case we had done the Maruti disinvestment five years ago, when Maruti had 85 per cent of the market, an offer of Rs.9,000 crores would have come--somebody has invented the figure of Rs.9,000 crores--from General Motors. Murliji also knows all these figures. They said, "Don't do this just now. Hold on. Do something more." Its market share fell to 47 per cent. In VSNL, it is quite right.....*(Interruptions)*... Chitharanjanji has said.....*(Interruptions)*... Just one second. ...*(Interruptions)*... Please don't interrupt me. ...*(Interruptions)*... How can you dictate to me?

SHRI SANJAY NIRUPAM: I want to make some submission. आप वीएसएनएल पर मत जाइये। ...**(व्यवधान)**... आप संतूर होटल पर आइये। अब आप संतूर से सीधे वीएसएनएल पर या इधर-उधर मत जाइये। संतूर होटल पर मैंने जितने क्वेश्चन्स और क्वेरीज की हैं, उनका जवाब दीजिए। उसके बाद अगर मैं सेटिसफाइड हूं। I will accept that; otherwise, I should be allowed to quit. ...*(Interruptions)*...

SHRI ARUN SHOURIE: Madam, I have not yet concluded. ...*(Interruptions)*... Why can't I reply to the points made by Murliji?

श्री संजय निरुपम : मैडम, एक बुनियादी चीज है। पहले छह परसेंट लेवी थी और 76 करोड़ रुपया उसका फिक्स्ड रिजर्व प्राइज था, तो जब लेवी 2 पैरसेंट हो गई तो 78 करोड़ रुपये रिजर्व प्राइस कैसे हो सकता है? यही तो बेसिक क्वेश्चन है, यही तो मैं जानना चाहता हूं। ...**(व्यवधान)**...

श्री अरुण शौरी : मैडम, इन्होंने क्या-क्या बोला, जेट एयरवेज, सहारा एयरलाइन, ये सब थे क्या हो गया? ...**(व्यवधान)**...

श्री संजय निरुपम : मान लिया । अरुण जी, एक मिनट ...**(व्यवधान)**... मैडम, मेरा बेसिक ईशू है कि फाइनेंशियल टर्म्स चेंज करने के बाद क्या अखबारों में ...**(व्यवधान)**... फिर से सही नहीं हुआ ।...**(व्यवधान)**...

THE DEPUTY CHAIRMAN: If you are not going to listen to him, then, let the reply come tomorrow after the Question Hour. Then, you will have to sleep and come back tomorrow morning, after the Question Hour, he can reply. We cannot go on and on with these interruptions. Let him finish. ....*(Interruptions)*

SHRI ARUN SHOURIE: I will finish it just now. ...*(Interruptions)*

श्री संजय निरुपम : जब सैंटूर पर चर्चा कर रहे हैं तो सैंटूर पर करो, वी.एस.एन.एल. पर जाने की क्या जरूरत है ? सैंटूर पर करो, बहुत सारे सवाल हैं । ...**(व्यवधान)**... अगर मैं सैटीसफाई हो जाता हूं तो ठीक है नहीं तो फिर मुझे सवाल पूछने दिया जाए । ...**(व्यवधान)**...

SHRI ARUN SHOURIE: What Sanjay Nirupam is saying, is total fabricated..... *(Interruptions)*...I am going to come to that...*(Interruptions)*

श्री संजय निरुपम : एक-एक करके जवाब दोजिए तो मैं सुनने के लिए तैयार हूं । ...**(व्यवधान)**...

श्री अरुण शौरी : पांच का तो दे चुका हूं । एक में लीज़ डाक्यूमेंट है, मैं अभी आपको पढ़कर सुनाता हूं ।...**(व्यवधान)**...

श्री मुरली सीताराम देवरा : आपके पार्टनर कैसे हैं, आपको मालूम नहीं पड़ा । ...**(व्यवधान)**...

श्री अरुण शौरी : अभी काफी मालूम पड़ गया है, और चीजों के बारे में भी मालूम पड़ गया है । ...**(व्यवधान)**...

उपसभापति : कोई बात नहीं, अभी सुनने दो ।...**(व्यवधान)**...

श्री संजय निरुपम : और चीजो के बारे में भी बता दीजिए । ...**(व्यवधान)**...

उपसभापति : संजय, बैठ जाओ । आप बात सुनो । वह बता रहे हैं । ...**(व्यवधान)**...

श्री संजय निरुपम : यह जो आरोप लगाने की आदत है, अरुण शौरी जी की, यह बहुत ही गलत आदत है । ...**(व्यवधान)**...

श्री अरुण शौरी : आरोप तो ये लगा रहे हैं ।...**(व्यवधान)**...

श्री संजय निरुपम : और क्या-क्या पता है, वह भी बता दीजिए । ...**(व्यवधान)**... मैं आपको बताता हूं कि बतरा हॉसपिटैलिटी का पार्टनर अशोक कपूर अरुण शौरी जी का क्लासमेट था। ...**(व्यवधान)**... क्या अशोक कपूर ने अरुण शौरी जी से फोन पर...**(व्यवधान)**... अब मैं बताता हूं कि अरुण शौरी कैसे करप्शन में शामिल हैं । ...**(व्यवधान)**... अभी तक तो मैं ऑफिसर की बात कर रहा था । अब मैं कहना चाहता हूं कि Shri Arun Shourie himself is involved in the deal.... (*Interruptions*). मैं अब यह बताना चाहता हूं कि बतरा हॉसपिटैलिटी का पार्टनर अरुण शौरी का दोस्त था।...**(व्यवधान)**... कितनी बातचीत उन्होंने अशोक कपूर से की । ...**(व्यवधान)**...

SHRI ARUN SHOURIE: I do not know who is Ashok Kapoor. ... (*Interruptions*)

श्री संजय निरुपम : मैं सदन के समक्ष, सदन में अशोक कपूर के पूरे डिटेल्स रखने के लिए तैयार हूं ।...**(व्यवधान)**... यह आरोप लगाते हैं कि मैं और भी बात जानता हूं । ...**(व्यवधान)**... मुझे और भी बहुत सारी बातें मालूम हैं। अभी तक मैंने कई बाते नही कही थीं । अब मैं बताना चाहता हूं। ...**(व्यवधान)**...

SHRI JANARDHANA POOJARY: Madam, he is...(*Interruptions*)

SHRI SANJAY NIRUPAM: Madam, my basic question is ... (*Interruptions*) 6 परसेंट की लेवी पर 76 करोड़ रिजर्व प्राइस था, जब लेवी घटकर दो परसेंट ...**(व्यवधान)**... बहुत सारी बातें मालूम हैं, हम भी शुरू कर देंगे ।

SHRI JANARDHANA POOJARY: He is....(*Interruptions*)

THE DEPUTY CHAIRMAN: What is the problem with you? (*Interruptions*). This is not the way. Why are you shouting in the House? ... (*Interruptions*). No, I am not allowing you. (*Interruptions*) Sit down. (*Interruptions*) I am not allowing you. Sit down ... (*Interruptions*) Take your seat. I said, "Take your seat." You cannot shout at the Chair. You should know it. You sit down. (*Interruptions*) You had been a Minister. (*Interruptions*) If you like to be insulted before everybody, I have no problem. I have no problem, I will do that. When I am asking you politely to sit down, you should.... (*Interruptions*)

SHRI JANARDHANA POOJARY: You had done it yesterday also...(*Interruptions*)

THE DEPUTY CHAIRMAN: I will do it everyday, if you do not listen to me, I will do it everyday....(*Interruptions*)

SHRI JANARDHANA POOJARY: We will also do it...(*Interruptions*)

THE DEPUTY CHAIRMAN: Yes, you do whatever you like. (*Interruptions*) Just sit down. I will bring it to the notice of Dr. Manmohan Singh, who is so polite, that he has got such kind of Member in this House. You just don't listen to, and look for a chance to just shout. There is a limit to my patience also.

SHRI ARUN SHOURIE: Madam, I will just conclude with one final point. The allegation has now shifted from some officers to some friend of mine, whom I do not know. It is amazing. But anyhow, I will read the last point, and, then, conclude, because, as you said, everybody is now getting late. This is the question of lease document. Mr. Sanjay was right on that particular point, and we have taken action in this regard. I will mention about that. In article 13.4 of the agreement to sell between the Hotel Corporation of India and the Batra Hospitality Pvt. Ltd, it was said, "Neither this agreement, nor any benefits or burdens under this agreement, shall be assignable, by either party, without the written consent of the other party". I will check up with the Hotel Corporation of India. They have received no written request from the Barta Hospitality for transfer of shares to the Sahara Hospitality, or, whatever it is.

The second point is, there is an extract of a lease agreement between the Airports Authority of India, as the lessor, and the BHPL for the lease of the land of the hotel. That lease clause reads, "The lessee shall, subject to the prior approval, in writing, of the lessor, which approval shall not be unreasonably withheld, be entitled to mortgage, assign, transfer or sublet these premises". I checked up with the Airports Authority of India that no written request came to them for transferring the lease. Now, the Batra Hospitality asked this question: "What have you done?". On one construction, the benefits that accrue form the lease include the business of running a hotel on the premises. For that reason, we asked them certain questions. They said, "The company, BHPL, is continuing as a separate legal entity". The shares of that company have been transferred. There are several judgements. Mr. Nariman is not here. But he will remind us that there are several judgements where the Supreme Court has said, "We shall go behind the corporate will, and not merely look at the name of the company, whether it has not changed the name. If the real contents have changed, we shall go behind that". They were saying that the company is continuing. Secondly, they said, "We have not transferred the lease".

Another view was, "No, they were obliged to take the written permission of the Hotel Corporation of India and the Airports Authority of India", which, I am told by both the Hotel Corporation of India and the Airports Authority of India, they have not taken. As we got contrary advices on this issue in the Disinvestment Ministry, we have sent the matter to the Law Department for their considered view. I assure the House that naturally, precisely as has been stated, we don't want a transaction to be such that it will put the entire disinvestment process under a cloud. If they give us an opinion, "Yes, it is a fraudulent transaction; it is illegal in view of these documents", you can be sure that we will proceed against them.

Madam, there is one small point. The guarantee that was taken was not from the new company. But it was a personal guarantee by Mr. A.L. Batra. That personal guarantee will be encashed. I have no doubt on that. So, please be rest assured that the process is under way on these matters. All bidders were informed about the change. There is one change that was made. That change was made after the decision of the Cabinet. There have been three options. Informing only one party surreptitiously about the change did not take place. None of these things took place. Everybody was informed. If you don't mind, I may say so, one of the bidders--not in that case, but in the case in Delhi--who is a sitting Member of this House, would have also been informed. I have not checked up with him. But I am sure, he would have been informed of this change from 6 per cent to 2 per cent. (*Interruptions*)... Everybody was informed. (*Interruptions*)...

SHRI LALIT SURI: Madam, I was informed. I would also like to inform the House that I made a bid earlier. (*Interruptions*)...

SHRI ARUN SHOURIE: That is exactly a testimony. (*Interruptions*).. There is cent per cent testimony. (*Interruptions*)...

SHRI DIPANKAR MUKHERJEE: What is this, Madam? (*Interruptions*)...

SHRI LALIT SURI: You are all shouting in the House. (*Interruptions*)... You should know the reality of what is happening in this House. (*Interruptions*)... You don't know the reality of what you are talking about. (*Interruptions*)...

SHRI DIPANKAR MUKHERJEE: Madam, is it permissible? (*Interruptions*)... Are we discussing a Bill here? (*Interruptions*)... This is too much. (*Interruptions*)... This is too much. (*Interruptions*)... Why are you afraid of an inquiry? (*Interruptions*)...

SHRI ARUN SHOURIE: Madam, I conclude by saying that I am thankful to all the Members... (*Interruptions*)...

SHRI DIPANKAR MUKHERJEE: Why are you afraid of an inquiry? (*Interruptions*)...

SHRI ARUN SHOURIE: Madam, I conclude by saying that I am very thankful to the Members for the important points that they have made and I will bear them in mind. Thank you for the thirteenth discussion on this issue in this House.

THE DEPUTY CHAIRMAN: The House stands adjourned till 11 o'clock tomorrow.

The House then adjourned at forty-four minutes past six of the clock, till eleven of the clock on Thursday, the 5th December, 2002.

MGIPMRND—7277RS—3.11.2003.